

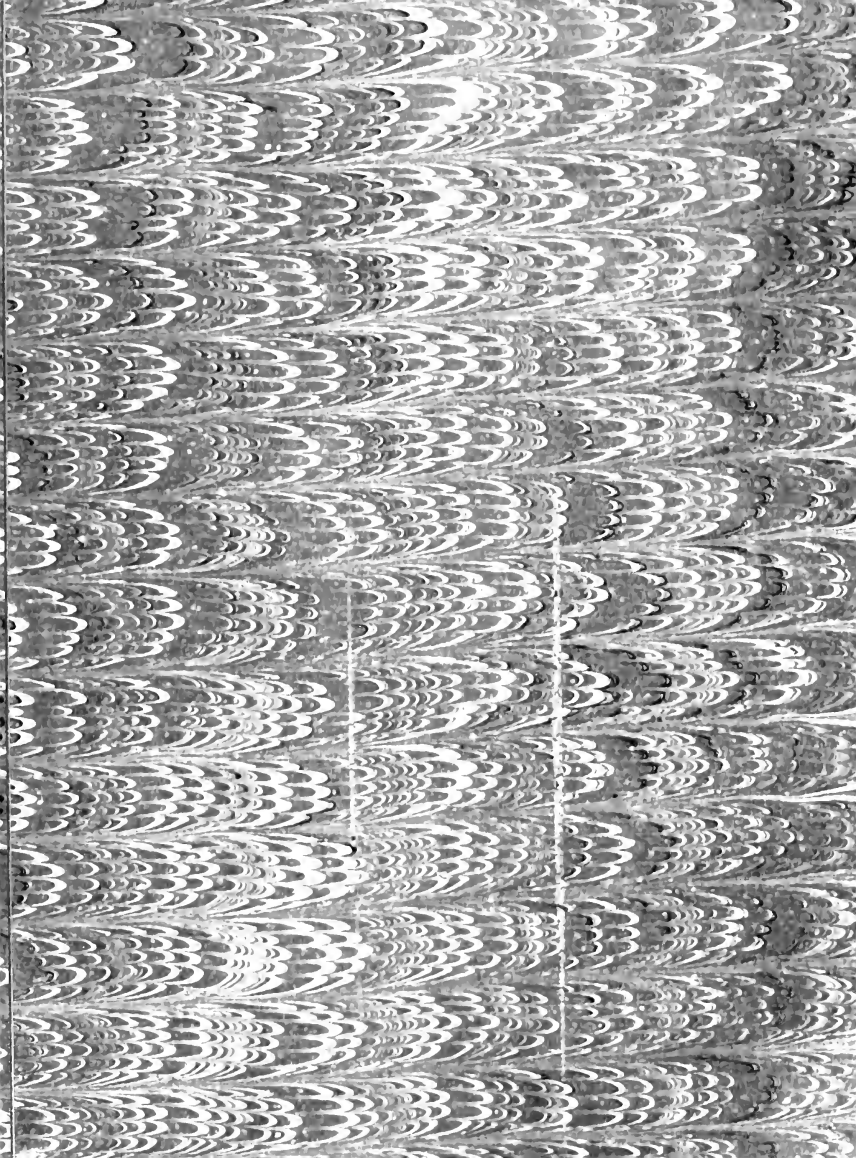
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THE ANDROS TRACTS.

VOLUME FIRST.



Boston:

PRINTED FOR THE SOCIETY.

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1868.

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No.

THE
ANDROS TRACTS:

BEING A COLLECTION OF

PAMPHLETS AND OFFICIAL PAPERS

ISSUED DURING THE PERIOD BETWEEN THE OVERTHROW
OF THE ANDROS GOVERNMENT AND THE ESTAB-
LISHMENT OF THE SECOND CHARTER OF
MASSACHUSETTS.

Reprinted from the Original Editions and Manuscripts.

WITH NOTES AND A MEMOIR OF SIR EDMUND ANDROS,
BY W. H. WHITMORE.

Boston:
PUBLISHED BY THE PRINCE SOCIETY.
1868.

1859

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M E M O I R

O F

S I R E D M U N D A N D R O S .

CORRECTIONS

RECEIVED AFTER THE MEMOIR WAS PRINTED.

P. v. The Memoir in Duncan's History was written by the late Mr. Thomas Andros of Guernsey, who died in 1853.

P. vii. Colette, first wife of Charles Andros, was daughter of Josias Le Marchant. George Andros who m. Anne Blondel, died 10 Nov. 1685; so say the family records.

P. ix. The pardon was dated 18th August. The baronet was Sir Henry De Vic.

P. xi. Edmund Andros returned from Barbados to England in August, 1668, as appears by a letter of the 13th of that month from Mr. Thomas Samborne to Mr. Amias Andros announcing his son's arrival in London.

P. xxxv. Sir Edmund's second marriage was in 1691, says Mr. Chester. The Crispes were of Goddhurst, Kent.

P. xlvi. The two brothers of Amice Andros were Joshua, killed in Germany, and John, "Master of Artillery to Prince Maurice," killed in England.



SIR EDMUND ANDROS.



CONCERNING the ancestry of Sir Edmund Andros, the sole printed authority is the memoir in the History of Guernsey by Jonathan Duncan, (London, 1841,) which occupies about three pages in that book. This sketch has been copied by Dr. E. B. O'Callaghan in his "Documents relating to the Colonial History of the State of New York," (ii. 740), and also in a note in Woolley's Journal (GOWAN'S Bibliotheca Americana). It seems that Andros placed on record at Heralds' College a very elaborate pedigree of his family, September 18th, 1686, a few days before he failed to assume the government of New England. Although this document was used probably by DUNCAN, it is now printed for the first time in full, from a transcript made by Joseph L. Chester, Esq., of London.

The family of Andros, or Andrews as it is more frequently spelt, was of great antiquity in Northamptonshire, being long settled at Winwick in that county. One branch, which was raised in 1641 to the dignity of Baronet, was resident at Denton in the same county; and from the similarity of the arms, it is evident that Sir Edmund claimed the same paternity. The pedigree recorded at Heralds' College is as follows.

Mr. John Andros, (alias Andrews,) an English Gentleman born in Northamptonsh: came into the Isle of Guernsey with Sr Peter Mewtis Knt. Governor of the said Isle as his Lieutenant, and was afterwards a Cap^t of Foot in Calais, where he dyed and was buried, A^o 1554.

Judith de Saufmarez only daur: of Thomas de Saufmarez Lord of the Seigneurie of Saufmarez, and sister and heir to George Saufmarez her brother, married A^o 1543. She dyed at Saufmarez, A^o 1557, and was buried in y^e Church of St. Martin.

Alix Roiiiaux=¹John Andros, eldest son of the wid: of Monsieur John de la Cour, second wife, obijit s. pr. A^o 1595.

John Andros, eldest son of the said John was the King's Ward and committed to the custody of Sr Leonard Chamberlain, Knt. Governour of the said Isle until he came of age, which having attained he did his homage, and paid the Relief due to the King for the said Seigneurie, and had

possession thereof, and was made Capt. of the Parish of St. Martin, and 28 May 1582, was sworne one of y^e Justices of the Royal Court.

Secille Blondel daur:=²Margaret, of Mr. John Blondel, daur: of one of the Justices of the Royall Court in the said Isle of Guernsey. Married to Mr. John Andros, son of John Andros before mentioned, 24 Oct: wife.

1570, dyed 6 May 1588 and was buried at St. Martins. First wife.

Mary Careye, daur: of Mr. Nicollas Careye, one of the Justices of the Royal Court, Married 1^o Jun: 1597, and dyed in childbed without Issue surviving, 6 Nov: 1598. First wife.

¹Thomas Andros, eldest son, born at Saufmarez, 16 Oct. 1571. He was sworne one of the Justices of the Royal Court after the death of his father, 2 Febr: 1609, and Lieut^t Governor of Guernsey under my Lord Carew Governor 8 Jun: 1611, and dyed 18 Apr: 1637, at Saufmarez, and was there buried.

Elizabeth Carteret, eldest daur: of M^{rs} Amice de Carteret, Seign^r de la Trinite, Lieut^t Governor and Bailly of the Isle of Guernsey married 22 Oct: 1606, dyed 3 Jan: 1672. 2^d Wife.

Catherine married to Mons^r John Bonamy.

¹Amice Andros born at Saufmarez 1610. He was made Marshall of y^e Ceremonies to King Charles I. A^o 1632. Bailly of the Isle of Guernsey by K. Ch. 2 upon his Coronation in Scotland. Bayliff of the Royal Court in Guernsey A^o 1661, and Major of the Forces of the said Isle. He dyed at Saufmarez, 7 Apr. 1674.

¹Elizabeth Stone sister of S^r Robert Stone, Knt., Cup-Bearer to the Queen of Bohemia, and Captain of a Troop of horse in Holland. ³Thomas ⁴Josuah & John, died unmarried.

¹Amice and ²Elizabeth, dyed young. ³S^r Edmond Andros, Knt. born at London, 6 Dec. 1637, made Gentl: in Ordinary to the Queen of Bohemia, A^o 1660, and Major to the Regim^t of foot sent into America A^o 1666. After that, Major to Prince Rupert's Regim^t of Dragoons A^o 1672. He was sworne Bailly of the Royall Court in Guernsey 30 Junij 1674, and shortly after was constituted Governor general of New York in America and knighted on his return from thence, A^o 1681. He was sworn Gentl: of y^e Privy Chamber to the King A^o 1683, and in y^e year 1685 was made Lieut^t Colonell to her Royal High^{ness} the Pr. Anne of Denmark's Reg^t of Horse, commanded by the Earl of Scarsdale, and lastly this present year 1686 was made Governor of New England.

¹Marie Craven eldest daughter of Thomas Craven, and sister of S^r William Craven of Apletrewick, in Com: Ebor: and of Combe Abbey in Co: Warr: Knight, heir in Reversion to the Barony of Hamsted Marshall. Married in Febr: 1671.

[Heralds' College, Book 2 D, XIV. fol. 175^b.]

ANDROS.—Gules, a falire or furred by another vert, on a chief argent 3 mullets fable. [No crest.]

SAUSMAREZ.—Argent, on a chevron gules between 3 leopards' faces fable as many castles triple towered or. Crest: a falcon affrontant proper, beaked and membered or, [not wings expanded as in the armory.] Supporters: Dexter, a unicorn, tail cowarded, argent; Sinister, a greyhound argent collared gules garnished or.

["This is a true Account of the Marriages and Issues of my family, and of the Armes we have constantly borne since our coming into Guernsey, as also of the Arms Crest and Supporters of Saufmarez whose heir General we married. Witnes my hand this 18th of September, 1686.

E. ANDROS."]

² John, dyed unmarried.	³ Thomas, dyed young.	⁴ Elizabeth, married to Mr. Peter Painfec, Minister of St. Peters Port.	⁵ Mary, died an infant.
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⁶ Elizabeth, married to Monsieur John Do- bree, mer- chant.	⁷ Anne, an in- fant. 1686, marr: Collette, dau: by whom he had issue onely one daugh ^r :	⁸ Secille, married to Capt: Nicollas Ling.	⁹ Charles Andros, Seigne'r D'Anne- ville, living to his first wife, of Jonas le young.	= Alix, dau: and sole heir of M. Thomas Fashin, Seigneur D'Anne- ville, 2d wife.	¹⁰ Peter, an in- fant. youngest child, died 7 Nov: 1679, ætat: 47 An.	¹¹ William Andros, 11th and youngest child, died 7 Nov: 1679, ætat: 47 An.	= Judith, dau: of Mon ^r John Blon- dell.
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¹ Charles Andros, born 9 Apr: A ^o 1662.	= Rachell, dau: of Mr. James Careye.	² Amice Andros, second son, married Magdalen Mancell.	¹ 3 John, and 4 Judith, dyed young.
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¹ Charles Andros, born 15 Sept: 1662. Married Elizab: Mauger widow of Mon ^r Tho: de Beau- voir.	² Thomas, born 25 Mart: A ^o 1672.	³ Mary, married to Mr. Jean Renouf, Mer- chant.	⁴ Anne, born 21 Nov. 1667.	¹ Rachell, born A ^o 1683.	² Anne, born 1685.
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¹ 4 Richard, and 5 Elizabeth, dyed young.	⁶ John Andros, born 2 Nov: 1642. Mar- ried Anne Knapton. 1 Elizabeth, 2 Marie, 3 Amice, mort. 4 Anne, 5 John, 6 Carterette, mort. 7 Edmond, mort. 8 Cæfar, 9 Edmond.	⁷ George Andros, born 5 Oct: 1646. Married Anne Blondel, and dyed 8 ^o Nov: 1664. 1 John, 2 George, 3 Charles, 4 Mary, 5 Anne.	⁸ Carterette Andros, married to Mr. Cæfar Knapton, an English Gentl: Elizabeth Knapton only child, married to Mr. Will: le Marchant, eldest son of Mr. James le Marchant, A ^o 1684.
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At the same time Sir Edmund recorded his coat-of-arms as described in the following document at Heralds' College, Grants of Arms, Book 1, 26. fol. 98.

“Whereas S^r Edmund Andros, Knight, Lord of y^e Seignorie of Saufmarez in the Island of Guernsey, hath made application to me, Henry, Duke of Norfolk, Earl Marhall of England &c. that his Arms may be Registered in the College of Arms in such manner as he may lawfully bear them, with respect to his Descent from the antient Family of Saufmarez in y^e said Isle, there being no entries in the College of Arms of the Descents or Arms of the Families in that Isle: And whereas it hath been made out unto me that his Great Grandfather's Father, John Andros al^d Andrews, an English Gentleman, borne in Northamptonshire, coming into the Isle of Guernsey as Lieut^t to S^r Peter Mewtis, Knight, the Governour, did there marry, A^o 1543, with Judith de Saufmarez, only daughter of Thomas Saufmarez, son and heir of Thomas Saufmarez, Lords of the Seignorie of Saufmarez in the said Isle, which Judith did afterwards become heir to her brother George de Saufmarez, Lord of the said Seignorie: And that John Andros, Esq^r., son and heir of the said John and Judith, had the s^d Seignorie with its appurtenances and all Rights and Privileges thereto belonging, adjudged to him by the Royal Comm^{rs} of the said Isle, A^o 1607, against the heirs male of the said Family of Saufmarez, who then sued for the same, as finding it to be held of the King by a certain Relief and certain Services, all which were infeparable from the said Seignorie: And whereas it hath been made [to] appear unto me by an Antient Seal of one Nicollas de Saufmarez, which seems to be between 2 and 300 years old, and by other Authorities, that the said Family of Saufmarez have constantly borne and used the Arms herein impressed, I the said Earl Marhall, considering that the forementioned S^r Edmund Andros, Knt., and his Ancestors, from the time of the said John Andros who married the heir generall of Saufmarez as afore-said, have successively done Homage to the Kings of England for y^e s^d Seignorie, and thereupon have been admitted into and received full possession thereof, do order and require, That the Arms of Andros (as the said S^r Edmund and his Ancestors ever since their coming into the said Isle have borne the same) quartered with the Arms of Saufmarez as they are
hereunto

hereunto annexed,* be, together with the Pedigree of the said S^r Edmund Andros (herewith also transmitted) fairly registered in y^e College of Arms by the Register of the said College, and allowed unto him the said S^r Edmund Andros, and the heirs of his body lawfully begotten, and of the body of his Great Grandfather John Andros, son and heir of the forementioned John Andros and Judith de Saufmarez, having, possessing and enjoying the said Seignorie, to be borne and used by him and them on all occasions according to the Law of Arms: And for so doing this shall be a sufficient warrant.

Given under my hand and seal the 23^d day of September, 1686, in the second year of the Reigne of our Sovereigne Lord King James the Second, &c.

Norfolke & Marshall."

To the Kings Heralds,
and Purfuiv^{ts} of Arms.

During the exile of the Stuarts, Edmund Andros served in the army of Prince Henry of Nassau (PALFREY, iii. 127), and was faithful to their cause. His family indeed was eminent among the adherents of the King, as appears by the pardon granted 13th August, 1660, by Charles II. to the inhabitants of Guernsey. In it he declares that Amice Andros, Edmund his son, and Charles his brother, Sir Henry Davie, bart, and Nathaniel Darell, during the preceding troubles "continued inviolably faithful to his Majesty, and consequently have no need to be comprised in this general pardon." So also we learn by the monument to Elizabeth, mother

* The Andrews family of Denton bore "Gules, a saltire or, surmounted of another vert." O'Callaghan and Trumbull (Col. Rec. of Conn. iii. 392) have followed an error in BERRY'S History of Guernsey, wherein the arms of Andros are said to be "a chevron between three pelicans vulning themselves." Such a coat indeed is found on the monument of Amice Andros, but they undoubtedly belong to his wife Elizabeth Stone, the mother of Governor Andros.

mother of Sir Edmund, that she "shared with her husband the troubles and exile to which he was exposed for several years in the service of Charles I. and Charles II."^b

Edmund Andros received his first considerable preferment by being made Gentleman in Ordinary to the Queen of Bohemia in 1660. He had undoubtedly been attracted to her service through the position of his uncle, Sir Robert Stone, who was Cup-bearer to that princess, and he was afterwards more closely allied to her friends in consequence of his marriage. Whether any part of his youthful years while he was a page in the Royal service, had been spent in her household or not, it is worthy of notice that as a young man Andros was in a position to acquire the accomplishments of a Court, and to behold Royalty in its most fascinating form.

Elizabeth, Queen of Bohemia, was the only daughter of King James I. of England, and was born 19th August, 1596. She was married 27th Dec. 1612, to Frederick V., Count Palatine of the Rhine, Duke of Bavaria and Silesia, who was soon elected King of Bohemia, but lost all his possessions by the fortune of war. He died at Mentz, November 19th, 1632, having had thirteen children, of whom the best known were Prince Rupert, and Sophia, wife of Ernest Augustus, Elector of Hanover, mother of George I. of England.

The Queen of Bohemia had shared the exile and misfortunes of her English relatives, and returned to England, 17th May, 1661. She died February 13th, 1662, at London.

Historians

^b "She lived with her husband 42 years and was the mother of 9 children." She died 25 Dec. 1686, aged 73. (BERRY, Hist. Guernsey.)

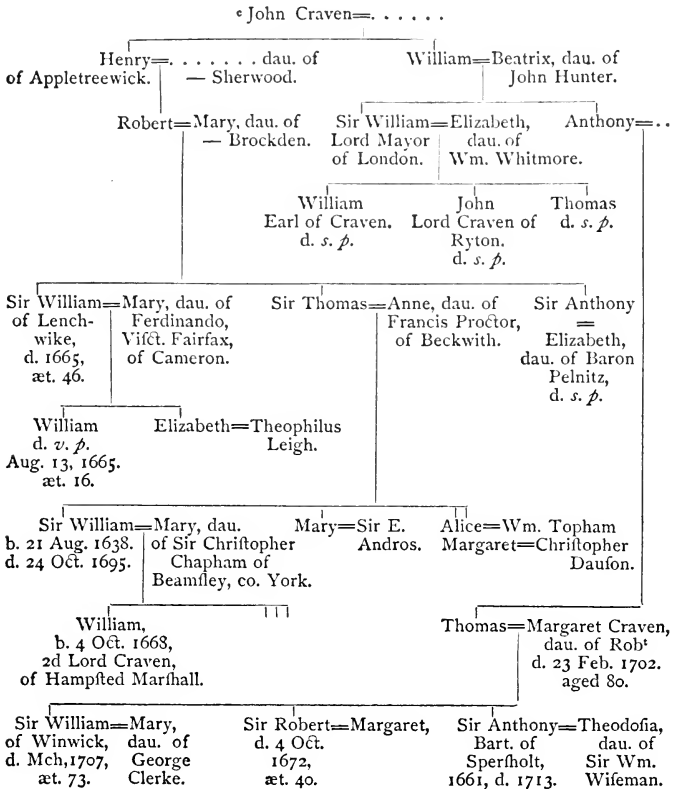
Historians have agreed in describing this princess as a most charming woman. JESSE (Court of England) writes thus: "Lively in her manners, affectionate in her disposition, and beautiful in her person; throwing a charm and a refinement over the social intercourse of life; she yet possessed with all these qualities, a strength of mind which never became masculine; talents which were never obtrusive, and a warmth of heart which remained with her to the end." "In prosperity modest and unassuming; in adversity surmounting difficulties and dignifying poverty, her character was regarded with enthusiasm in her own time, and has won for her the admiration of posterity." "In the Low Countries she was so beloved as to be styled 'the Queen of Hearts.'"

During her long widowhood, her chief adviser and friend was William, Earl of Craven, and it was to the sister of the chosen heir to a portion of the honors of this nobleman, that Edmund Andros was married, in 1671. It has been believed that the Earl of Craven was married to the Queen, and he was certainly one of the bravest and most honored gentlemen of his time.

In 1666, Andros was made Major of a Regiment of foot, which was sent to America. DUNCAN writes that Andros distinguished himself in the war against the Dutch, and was in 1672, "commander of the forces in Barbados and had obtained the reputation of being skilled in American affairs."

In February, 1671, Andros married Marie, oldest daughter of Thomas Craven of Appletreewick, co. York, and thus sister to the "heir in reversion to the Barony of Hamsted-Marshall."

Marshall." This match is a sufficient proof of the estimation in which he was held, as the lady was sister of the designated heir of the Earl of Craven, his former patron. The pedigree of the Cravens will be best understood by the annexed tabular statement.° The "Peerages" have left the matter obscure, but



but it has been rendered plain by some articles in "Notes and Queries" for 1868. The Earl of Craven, after the death of his brothers, entailed the Barony on his more distant cousins of Appletreewick, omitting the issue of his uncle Anthony Craven. At his death, April 9th, 1697, the title passed to William Craven, nephew of Lady Andros.

It is possible that Andros came to England for the marriage, and returned to Barbados; but we think it more probable that the regiment had been recalled to England. DUNCAN states that in April, 1672, a regiment raised for Prince Rupert was armed for the first time with the bayonet, that Andros was made Major, and the four Barbados companies then under his command were incorporated in it. In the same month, the proprietors of the Province of Carolina, of which the Earl of Craven was one, conferred on him the title of Landgrave, with four Baronies, containing 48,000 acres of land.

In April, 1674, Andros succeeded his father in his estates in Guernsey, and 30 June, was sworn as Bailly of the island, the reversion of that office having been before granted him.

We do not find mention of the occasion which recommended him to the attention of the Duke of York, but from his early attendance on the royal family, and his exceptional loyalty, he had probably long been known to that prince. Andros was accordingly selected to be the Governor of the Province of New York, which was claimed by the Duke, and had recently been restored to him by the Dutch.

He

He arrived in this country, November 1st, 1674, accompanied by his wife.

A brief notice of the events which had occurred in this country immediately before his arrival, may render his subsequent proceedings more intelligible to the reader.

On the 27th of August, 1664, the Dutch Colony of New Netherland was surrendered to an English force under Col. Richard Nicolls. The King, Charles II., had already granted it, by patent dated 12 March, 1664, to his brother, the Duke of York. After it had been held by the English for over nine years, the Dutch had recaptured it, August 9, 1673; but under the terms of the treaty of peace, it was restored to its English owners. In a letter dated $\frac{7}{17}$ July, 1674, the Dutch embassadors wrote that they had complied with the orders from the States-General to notify the King that the Province would be delivered to his agent; that Edmund Andros had been designated as the person, and was to sail before the end of the week. (N. Y. Col. Doc. ii. 733.) The Colony at that time was estimated to contain between six and seven thousand white inhabitants, to which number were to be added the English settlers on Long Island. Andros's commission, which was dated July 1, 1674, made him "Lieutenant and Governor" over that part of Maine which was styled Pemaquid, Long Island, Nantucket and Martha's Vineyard, and the territory from the west side of Connecticut River to the east side of Delaware Bay. This latter territory comprised not only the State of New York, but Delaware, New Jersey and a large portion of Connecticut;

cut; the claim of the Duke of York to which domains was by no means undisputed.

Andros was at the same time commissioned as captain of a regiment of foot, raised by the Duke of York for service in the Colony, and received the necessary money for the expenses attendant upon establishing the new government. He was accused by some of the Dutch colonists of having exacted a new and unlawful oath of allegiance from them, but this difficulty seems to have speedily subsided. His instructions had been explicit that he should not disturb those colonists who desired to remain in good faith, and we see no reason to doubt that Andros fulfilled his orders. He has left an account of his administration for the first three years (N. Y. Col. Doc. iii. 254-7) from which we take the principal items.

In October, 1674, he says, that having received possession of New York and reduced the east end of Long Island, he took in hand the turbulent at various other places; these once quieted, the country had been peaceful ever since. The next summer he commenced to press the Duke's claim to that part of the country between the Hudson and Connecticut rivers. He therefore wrote several letters to the Governor and General Court of Connecticut, but it may easily be believed that the claim was only a matter of form. In fact, both parties had a patent for the same land, since the Connecticut Charter covered all the land from the Narragansett Bay, due west to the South Sea, and the Duke of York's territory was to be carved from this domain. Andros indeed says with truth that the English claim had been abandoned, since

since under that patent Connecticut might claim "New Jersey, Delaware, Maryland, Carolina and the Spanish West Indies," as well as all New York. The Duke of York was not disposed to press the matter, and wrote to Andros in January, 1675-6, that he approved of the demand, as preserving his title entire, but hoped for some more convenient method of adjusting the boundaries in the future; the only stipulation he made, was that the Connecticut men should not approach within twenty miles of the Hudson River. Within a month, however, the hostile attitude of the Indians compelled the eastern colonists to apply to Andros for aid in the alarming position of affairs. On the 1st of July, 1675, a letter was sent by Gov. Winthrop of Connecticut to New York, and Andros not only was "much troubled at the Christians' misfortunes and hard disasters in those parts," but he proposed to start at once, with a force "ready to take such resolutions as may be fit for me," and to make the best of his way to Connecticut River; "his royal Highness's bounds," as he significantly termed them.

This was more than the colonists had anticipated; yet they were unwilling to bring the dispute of boundaries to an open rupture, especially at such a time. Andros, therefore, was allowed to come to Saybrook with his two small vessels, and was met by Robert Chapman and Thomas Bull in behalf of the Colony. Various protests were exchanged, and Andros caused the Duke of York's Charter and his commission to be read. After this ceremony, he declared he should depart immediately unless desired to stay. In return, the agents of the Colony, who had studiously disavowed any share in these proceedings,

proceedings, read a protest on the part of Connecticut. And so "his Honor was guarded with the town soldiers to the water-side, went on board, and presently fell down below the Fort, with salutes on both sides." (TRUMBULL, Col. Rec. Conn. ii. 584.) Thus both sides parted in peace, each content with its own performance; and a few years afterwards the boundary was settled by mutual concessions.

Andros pursued his plans for protecting his Colony, furnished the necessary arms and ammunition, and disarmed the friendly Indians. Returning to New York, he called together the neighboring sachems and renewed the treaties with them; and in August, 1675, he proceeded to Albany, where he succeeded in gaining the friendship of the Mohawks and other powerful tribes. For nearly a year, till the death of Philip, August 12th, 1676, Massachusetts and Connecticut suffered from the barbarous incursions of the Indians. During this time, Andros, by his own account, had remained unwillingly idle, his offers of assistance having been rejected by his neighbors. He would have brought into the field his Mohawk allies, but the offer being slighted he could only keep them true to their allegiance, build forts and boats, and prevent any increase of Philip's forces. He seems in fact to have been greatly offended by the assertions of the Massachusetts Colony, that it was at Albany, and through his connivance, that the hostile Indians had obtained their supplies of arms and ammunition. He sent two gentlemen to Boston to obtain satisfaction, and received only a letter "clearing the magistrates, but not the generalty, still aspersed without any known cause, complaint or notice." So indignant

nant was he at this false accusation, that after his arrival in England, he petitioned the King in Council to cause inquiry into the truth of the matter; to which the agents, William Stoughton and Peter Bulkley merely replied, that they were not furnished with the information, and that evil-minded persons might have sold ammunition to the Indians despite the Governor's prohibition; in short, while evading all concessions or apologies, they insinuated the truth of the charge.

Towards the end of the summer of 1676, the Indian troubles broke out in the settlements in Maine, and though Massachusetts had taken possession of the Duke of York's territory of Pemaquid, Andros exerted himself to protect the settlers there, and sent an armed sloop thither. •

In June, 1677, he sent a force to Pemaquid and constructed a fort there, which he garrisoned with fifty men; and he undoubtedly contributed much to the pacification of that country for the next few years.

In August, 1677, he visited Albany with an agent from Maryland, and there received anew the assurances of the friendship of the western Indians. At that time and place he received permission from the Duke of York to take a brief leave of absence, and we transcribe a few passages from the letter. "I am glad to find the quiet condition of your government notwithstanding the late troubles that have been in your neighbourhood." "In regard you express a desire to come for England for some time to look after your own concerns, if you shall towards the end of this summer continue

tinue to be of that mind, (not doubting your care to settle all things during your absence from your government in the best and safest manner), I do agree that you come away with the latest shipping, so as having the winter to yourself, you may be ready to return to your government with the first ships that go hence in the spring."

Andros indeed, up to this time had merited the thanks of his employer. He had kept the country at peace, and had already made its revenue equal to its current expenses. The former laws in force during the English rule had been re-established, and it would seem that he had even tried to persuade the Duke of York to concede to the settlers some form of a legislative Assembly. (N. Y. Col. Doc. ii. 235.) He therefore communicated to the Council and General Court of Assizes, in October, the permission he had received to visit England, and arranged all matters likely to arise in his absence. On the 17th November, 1677, he sailed from New York, not accompanied by his wife probably, as we find no mention of her.

During his stay in England at this time, Sir Edmund Andros was knighted, a sufficient proof of the favor in which he was held at court. On the 8th April, 1678, he was called before the Committee for Trade and Plantations, and was examined in regard to affairs in New England as well as in his own Colony. His answer was quite elaborate, and is printed in the New York Colonial Documents, iii. 260-265. In regard to his own Colony of New York, he estimates the towns, villages, and parishes at about twenty-four in number,

the

the militia as numbering 2,000, the value of all estates at £150,000. He thinks a substantial merchant is one worth £500 to £1,000, and a planter is rich who has half as much in moveables.

His opinion of the settlements in New England certainly does not seem unfriendly. He states indeed that "the acts of trade and navigation are said, and is generally believed, not to be observed in the Colonies as they ought," yet he adds, "I do not find but the generality of the magistrates and people are well affected to the King and Kingdom, but most knowing no other government than their own, think it best and are wedded to and opinionate for it. And the magistrates and others in place, chosen by the people, think that they are obliged to assert and maintain said government all they can, and are Church-members and like so to be chosen, and to continue without any considerable alteration and change there, and depend upon the people to justify them in their actions."

Andros at this time brought before the Council the matter of the false charge that he had supplied the Indians with ammunition, and the Agents for Massachusetts, William Stoughton and Peter Bulkeley accordingly replied, promising "To do their utmost endeavour" to remove any misunderstanding between Sir Edmund and their government.

On the 27th of May, 1678, he sailed for New York in the "Blossom," taking with him William Pinhorne, James Graham, John White, John West and others, including his chaplain,

chaplain, the Rev. Charles Woolley, whose Journal was published in 1701.^d

He arrived on the 7th September, 1678, and found his Colony at peace, though there were still difficulties to be apprehended in dealing with the Indians. During the next two years Andros seems to have been much disturbed by controversies with some of the leading merchants, and complaints were freely made to the Duke of York that his Governor was dishonest. Accordingly, James wrote, May 24, 1680, to Andros, (N. Y. Col. Doc. iii. 283,) that he wished him to return to England "by the first convenience," turning over the government to Anthony Brockholst, the Lieutenant-Governor. Mr. John Lewen was sent hither as a special commissioner to investigate the accounts of the government, and his report (printed in N. Y. Col. Doc. iii. 302-8) was decidedly unfavorable to Andros. The Governor, however, who had failed from New York, January 7, 1681, was able to refute the charges made against him, and ends his reply as follows:—

"Lastly, I answer to the whole report, I do find all the imputations upon myself to be wholly untrue and deny every part thereof." "But if any objections or doubts remain, I am still ready to subject them to the greatest scrutiny his Royal Highness shall think fit, not doubting his Royal Highness's justice and my own vindication." (N. Y. Col. Doc. iv. 313.)

We have learned nothing respecting Andros's position in England for the next five years, except that he was in favor
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^d It has been reprinted (New York, 1860) with notes by Dr. E. B. O'Callaghan.

at Court, being, in 1683, sworn Gentleman of the Privy Chamber to the King, Charles II. He very probably devoted his attention to his estates in Guernsey, as in this year he and his wife received from the Crown a grant of the Island of Alderney for ninety-nine years, at a rent of thirteen shillings. In 1685, he was made Lieutenant-Colonel of the Princess of Denmark's Regiment of Horse, commanded by the Earl of Scarfdale.

The accession of James II. however, February, 1685, opened a new prospect of advancement. Andros seems to have been a staunch member of the Church of England, but his long intimacy with the Duke of York had doubtless given that Prince a favorable impression of his abilities. The Charter of Massachusetts, after a contest extending through many years, had been declared vacated, October 23rd, 1684. The notorious Col. Piercy Kirke^e had been designated as the new Governor by Charles II. and confirmed by James, but New England

^e Not much is known of Col. Piercy Kirke. His father was Col. Lewis Kirke, who in 1642-3 commanded the Royal forces in the defence of Reading against the troops under Hampden. (Lord Nugent's Life of Hampden, ii. 339-343.) Some account of Kirke is given in "Notes and Queries," 2nd S. viii. 472. It seems that Piercy Kirke, in 1673, served under the Duke of Monmouth in the army of the King of France. In 1675, he was Captain-Lieutenant in the Royal regiment of Horse-Guards; and in 1680, he was made Lieutenant-Colonel of the 2nd Tangier regiment. He was soon after made Colonel of this regiment, and in 1682 was transferred to the Queen's regiment. In 1684, he came with his regiment to England, and was employed

under the Earl of Feversham during Monmouth's rebellion. His conduct after that revolt was quelled, has covered his name with infamy, and Macaulay has drawn his character in vivid colors. He was made Brigadier-General in 1685, was one of those who joined William of Orange, and distinguished himself at the battle of the Boyne in 1690. He was promoted to the rank of Lieutenant-General in the same year, was sent to the army in Flanders, and died at Breda, October 31, 1691.

He married Lady Mary Howard, daughter of George, fourth Earl of Suffolk. From the identity of names it is probable that his son was the Percy Kirke who in 1735 was a Brigadier-General, commanding the King's Own Regiment of Foot.

England had been spared the affliction of his presence. Joseph Dudley had been commissioned as President of the Council, and served as chief magistrate from May 15th, 1686, till December 19th following.

Andros was commissioned Governor in chief in and over the dominion of New England, June 3, 1686, though his appointment is spoken of as settled, in a letter from Randolph, dated at Boston, July 28th of that year. (Hutchinson Papers, ii. 288, Prince Society's edition.)

It would seem as if Andros had received less than justice from the historians of Massachusetts. HUTCHINSON (Hist. i. 353) writes of him, "he was less dreaded than Kirke, but he was known to be of an arbitrary disposition. He kept a correspondence with the Colony whilst he was Governor of New York. His letters then discovered much of the dictator." So PALFREY (iii. 517) in his admirable History, says that James "had known Andros many years as a person of resolution and capacity, of arbitrary principles, and of habits and tastes absolutely foreign to those of the Puritans of New-England; and could scarcely have been ignorant of his personal grudge against Massachusetts, on account of old affronts. It was not to be doubted that here was a man prepared to be as oppressive and offensive as the King desired."

It is certainly but justice to an officer who filled so many important positions to the entire satisfaction of employers so different as James II. and William of Orange, to scrutinize with deliberation such charges against his character, and to insist upon undoubted evidence of his personal iniquities.

One thing seems evident, the government now imposed on New England was not the act of Andros, nor is there any proof that he sought the position of Governor. Randolph indeed had labored for years to effect the downfall of the Charter government; and as PALFREY has shown in successive chapters, in aid of the same purpose were the efforts of English merchants whose trade was injured by the commercial enterprise of Massachusetts, and the denunciations of English politicians, who considered the Charter government an infringement of the Royal prerogative. We have seen no evidence of Andros's complicity with these enemies of New England, and no proof of an unfriendly disposition when he accepted office.

It will hardly be imputed to Andros as a fault that he took the view of the Royal authority which prevailed at Court. As a subordinate, appointed to a certain position to carry out a certain policy, he had no choice but to obey or resign. In carrying out the commands of his master, he can only be blamed if his conduct was cruel or even harsh, in excess of his instructions. It will certainly be difficult, we think, to fasten any such stigma upon Andros. Leaving his political offences, for which the King was responsible, what personal charges can be substantiated against him?

It is evident that no person was executed for a political offence, and that none of the atrocities of Jeffreys or Lauderdale were repeated in this country. It is equally evident that no one was fined or imprisoned for non-conformity to the Church of England, and the contrast with the mother country

country is entirely in our favor. If the fees exacted were excessive, a point hereafter to be considered, was Andros a gainer thereby? From a report made at the time, and printed in N. Y. Colonial Documents, iv. 263, it appears that Andros was paid a fixed salary in 1686, of £1200 sterling; in 1687, the same, and in 1688, £1400 sterling, out of the revenue. We have yet to learn of any claim made against Andros for fees illegally collected or for public money mis-appropriated. PALMER indeed, in his Impartial Account, makes a strong defense for Andros on this head. The Council were all old residents; the Secretary and Collector, who received the greatest fees, were not appointed by Andros, and indeed Randolph quarrelled with him. The Treasurer was John Usher, who continued to reside here after the downfall of Andros, and the Chief Justice was Dudley. It is hardly probable that Andros was responsible for the appointment of any of the higher officials, nor should he be justly charged with the table of fees which was fixed for their benefit by a committee of the Council.

Reduced to plain statements, the personal charges against Andros seem to be, first, a zeal for Episcopacy, which led him to insist upon having a place for Church services in one of the Boston meeting-houses for a time; and secondly, a rude or insolent carriage towards his disaffected subjects.

As to the first, the facts are patent, and they do not seem to constitute a very heinous offence. It was undeniably a great annoyance to the members of the Old South Church, to have the Governor use the building for Episcopal services,
but

but as they were held only when "the building was not occupied by the regular congregation," (PALFREY, iii. 522,) we cannot greatly censure Andros for his course.

As to his treatment of persons accused of misdemeanors, we find but one instance which was worthy of censure. The case of the Rev. Mr. Wifwall of Duxbury, as narrated at p. 100 of this volume, is an evidence of inhumanity on the part of some one. If he were compelled to journey and appear before the Council when disabled by gout, it was an act disgraceful to the authorities; yet we must add, that Andros is not accused directly of being the persecutor. The other instances sink into insignificance, and at most prove only that Andros was a passionate man, who did not hesitate to express uncomplimentary opinions very freely. When Andros "called the people of the country Jacks and Toms;" and when, the constables having made an address to Sir Edmund as to how they should keep the peace if the sailors from the Frigate made a fray, "he fell into a great rage and did curse them and said they ought to be sent to Gaol and ordered Mr. West to take their names,"—we cannot on that account rank him with Kirke or Claverhouse.

So in two cases cited by his accusers, in pages 107 and 111 following: when certain impertinent busy-bodies brought an Indian to testify that Andros was engaged in a conspiracy to bring on an Indian War,—a story whose folly was only equalled by the harm it might cause if believed by the people,—Andros contented himself with ridiculing them, though afterwards they were fined by the courts. To prove
that

that he discountenanced making defence against the Indians, his opponents offer the testimony of certain village officials, whose affidavits prove only that Sir Edmund probably had read Shakespeare.

We fail, therefore, to see any evidence that Andros was cruel, rapacious, or dishonest; we know of no charge affecting his morality, and we find a hasty temper the most palpable fault to be imputed to him.

To return to our sketch of his public acts. He arrived at Boston, a place which he had before visited in October, 1680, to wait upon Lord Culpepper, (N. Y. Col. Doc. iii. 308,) in the "Kingfisher," Sunday, December 19, 1686, and landed the next day attended by about sixty soldiers. He was received with great acclamation of joy, and was escorted by a great number of merchants and others, to the Town House. He at once proceeded to organize his government, which it must be remembered, as constituted by his commission, was composed of the Governor and his Council. The other officers, judges, collectors, &c., were at hand, and the objects of the new rulers were soon disclosed. By losing their Charter and its representative form of government, the colonists had lost the privilege of taxing themselves. The Governor and Council imposed the tax; and when the inhabitants of the town of Ipswich attempted to resist the law, the patriotic leaders of the movement were tried, fined and imprisoned. The judges were Dudley, Stoughton, Usher and Randolph. This trial ended all attempts to dispute this claim of the government, but it was only the natural result

result of the forfeiture of the Charter, and in no sense the act of the Governor.

The other claim of the Crown was to the ownership of all the land, which involved two questions, viz. as to lands already owned by the settlers, and waste lands. The government held that private titles were invalid, unless confirmed by the Crown on the payment of a quit rent. Preposterous as this doctrine may seem, it had staunch defenders, and Andros was in earnest in enforcing it. Many complied with the requirements of the government, but the work was not completed when the Revolution came. As to Andros's share of the blame, Palmer makes the best defence, when he points out that Writs of Intrusion were brought only against a few persons to test the right, and these persons were those able to contest the question, and not obscure individuals. The moral question as to waste lands is more difficult of decision, since the argument is not without force, that it was better for Andros to grant them to persons who would improve them, than for the towns to hold them, unimproved, as commons.

Among the earliest acts of Andros, was his extending his authority over New Hampshire, Plymouth and Rhode Island, as well as Maine and Massachusetts. In October, 1687, he visited Hartford, and took the government of Connecticut also into his hands, and he afterwards traveled through that Colony. The first few months of 1688 were spent at Boston in consolidating the legislation necessary for the future guidance of the government.

He

He had at this time the misfortune to lose his wife, who died January 22, 1687-8, and was buried in the church-yard adjoining King's Chapel.^f

In April, 1688,^g Andros visited Portsmouth and Pemaquid, where he repaired the fort, and proceeding to Penobscot, he seized some property of Castine, a Frenchman who had settled there among the Indians. Returning to Boston, "he found a great promotion awaiting him in a new commission, creating him Governor of all the English possessions on the mainland, except Pennsylvania, Delaware, Maryland and Virginia."^g His command embraced New England, New York and New Jersey, with its capital at Boston.

In July, August and September, 1688, Andros made a tour through the Colonies, going through the Jerseys, and visiting New York city, Albany and Hartford. During this visit he had

^f In TRUMBULL'S Conn. Records, iii. 437, is a letter from John West to John Allen at Hartford. It is dated January 21st, (Saturday,) and states that he writes to let Allen "know the great griefe and sorrow wee are in for my Lady Andros, who since Tuesday last was sevenight hath been extremely ill, and soe continues almost at the Court of Death, and is a greate affliction to his Excellency who is most passionately concerned. If it should please God to call her to himselfe, wee should all have a greate losse of a right good and vertuous Lady."

In a postscript West adds—"January 26th. Mr. Belcher not proceeding on his intended Journey, have opportunity to add that on Sunday last the Lady Andros departed this life, to the great griefe and sorrow of his Excellency and all that knew her."

As to the funeral, the following account is given in Judge Sewall's Diary, quoted in BRIDGMAN'S King's Chapel Epitaphs, p. 318. "Between 4 and 5 I went to the funeral of the Lady Andros, having been invited by the Clark of the South Company. Between 7 and 8 (lychns illuminating the cloudy air) the corpse was carried into the herse drawn by six horses, the soldiers making a guard from the Governor's house down the Prison Lane to the South meeting-house; there taken out and carried in at the western door, and set in the alley before the pulpit, with six mourning women by it. House made light with candles and torches. There was a great noise and clamor to keep people out of the house that they might not rush in too soon. I went home."

^g PALFREY, iii. 558, 561, 562.

had held a conference with the chiefs of the Five Nations, and had notified the Governor of Canada that these tribes were under the protection of the English. He must therefore have been surpris'd and disgust'd to find that hostilities were imminent in the Colony of Maine. The cause of this outbreak was probably the resentment of Castine, whose property had been taken by Andros in the spring, and whose influence with the Penobscots was great.

At first, the Governor tried the effect of conciliation, but finding this useles, he collected some seven hundred troops,^h and in November, 1688, he proceeded to Maine to defend the settlers there. He established and garrisoned several forts, a list of which will be found in *Mafs. Hist. Soc. Coll.* 3rd S. i. 85. At Pemaquid, he received information of the probable designs of the Prince of Orange upon England, and January 10th, 1689, he issued the Proclamation which will be found on p. 75 of the present volume.

He returned to Boston early in March,ⁱ and the chief event of that month was the accusation that he had entered into a conspiracy with the Indians against the Colony, a base and foolish calumny. On the 4th of April, 1689, the news of the landing of the Prince of Orange in England was brought to Boston from Nevis by John Winslow, who had a copy of the Prince's Declaration. Andros had been previously warn'd however, by his friends in New York.

From this time until the 18th of April, there were doubtless plots and conspiracies without end. On that day the
people

^h PALFREY, iii. 568.

ⁱ *Ibid.*, iii. 570.

people of Boston rose against Andros and his government, but no hint is given us of the real contrivers of the revolution. PALFREY, iii. 579, writes, "It would be very interesting to know when and how the rising in Boston was projected. But conspirators do not show their hands while they are at their game; and after the settlement under King William, it became altogether unsuitable for those who had been privy to the facts to let it be known that the insurrection at Boston was a movement independent of his enterprise." The contemporary accounts of the proceedings are numerous and full of detail. BYFIELD'S Account was printed very soon and will be found in this volume; HUTCHINSON gives in his History, (i. 374-377,) a copy of a letter sent to Gov. Hinckley; PALFREY in the notes to his History, gives a number of citations from original papers, including the narrative of John Riggs, a servant of Sir Edmund's; and last, O'CALLAGHAN, (N. Y. Col. Documents, iii. 722,) prints Andros's own version. The events themselves are so fully described in the following pages, that it is necessary to say only that Andros, who was in the fort on Fort-hill, was obliged to surrender on the first day, April 18th, and was lodged under guard at Mr. Usher's house. On the 19th he was forced to order the surrender of the Castle in the harbor, and the Rose frigate was also given up and partially dismantled. A provisional government was at once formed, and Andros was transferred to the custody of John Nelson at the fort. We have printed in the present collection a statement by the Captain of the Castle, of the good treatment afforded Andros and his companions. It seems by BYFIELD'S story, that Sir Edmund made an unsuccessful attempt to escape disguised

disguised in woman's apparel, in April; he was more successful on the 2nd of August, when by the treachery of one of the corporals, he escaped from the Castle and reached Rhode Island. Waiting there too long, probably for some vessel bound to New York or to England, he was captured by Major Sanford and sent back to his former prison.

The following named persons were imprisoned with Andros. (R. I. Records, iii. 257.) "Joseph Dudley, Judge Palmer, Mr. Randolph, Lt. Col. Lidgett, Lt. Col. Macgregry, Captain George, Major Brockholes, Mr. Graham, Mr. West, Captain Treffry, Mr. Justice Bullivant, Mr. Justice Foxcroft, Captain White, Captain Ravencroft, Ensign Pipin, Dr. Roberts, Mr. Farewell, Mr. Jemefon, Mr. Kane, Mr. Broadbent, Mr. James Sherlock, sheriff, Mr. Larkin, Captain Manning, Lt. Jordaine, Mr. Cutler,"—25 in all, to which BYFIELD adds Mr. Crafford and Mr. Smith, and HUTCHINSON says that the number seized and confined amounted to about fifty. Probably some were soon released, or were too obscure in rank to be recorded.

It is our intention now to trace the personal fortunes of the deposed Governor, rather than the course of his successors. He was kept prisoner until February, 1690, when, in accordance with an order from England, Sir Edmund and his companions were sent thither for trial. The order, which was caused by letters which they had managed to convey to the Court, was dated July 30, 1689, but it did not reach Boston till very late in the year, and the prisoners were sent by the first opportunity.³

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³ See HUTCHINSON, i. 392; R. I. Records, iii. 256.

The Colony sent over Elifha Cooke and Thomas Oakes to assist their agents, Sir Henry Ashurst and Increase Mather, in prosecuting their charges against Sir Edmund and his associates. We find in the New York Col. Documents, iii. 722, and also in R. I. Records, iii. 281, an account by Sir Edmund of his administration, which is termed by PALFREY (iii. 587) "extremely disingenuous," though we cannot assent to this term. In it he says that he and his friends were sent to England "where, after summons given to the pretended agents of New England, and their twice appearance at the Council Board, nothing being objected by them or others, they were discharged."

HUTCHINSON, indeed, (i. 394,) attempts to lay the blame of this release of Andros and his more guilty associates, upon Sir John Somers, the counsel employed by the agents. It may be nearer the truth to say that Andros had committed no crime for which he could be punished, and that he had in no way exceeded or abused the powers conferred upon him.

At all events, Andros was favorably received at home, and in 1692 was appointed Governor of Virginia, to which command was joined that of Maryland. "He brought over to Virginia the Charter of William and Mary College, of which he laid the foundation. He encouraged manufactures and the cultivation of cotton in that Colony, regulated the Secretary's office, where he commanded all the public papers and records to be sorted and kept in order, and when the State House was burned, had them carefully preserved, and again sorted and registered. By these and other commendable

able acts, he succeeded in gaining the esteem of the people, and in all likelihood would have been still more useful to the Colony had his stay been longer, but his administration closed in November, 1698." (O'CALLAGHAN, Woolley's Journal, p. 67.)

Strangely enough, the Governor who in Massachusetts was chiefly hated for his love of Episcopacy, was overthrown in Virginia for quarrelling with the Church authorities. The Earl of Bellomont writes in 1690, in a letter printed in N. Y. Col. Doc. iv. 490, "Sir Edmund Andros for quarrelling with Doctor Blair in Virginia, brought the resentment of the Bishop of London and the Church (they say) on his head, which is the reason he has lost his government, and by the same rule they would get me recalled by making this a church quarrel." Bishop Meade in his "Old Churches and Families of Virginia," i. 157-8, gives some account of this controversy. The opponent of Andros was the Rev. James Blair, Commissary of the Bishop of London and President of the College, who seems to have passed nearly all his life in disputes with successive Governors; and it is no proof that Andros was in the wrong that he was recalled and superseded. The record of the trial of Dr. Blair is preserved at Lambeth, the result being that he returned triumphant with a good sum of money for his College.

Sir Edmund soon reappears, however, as the recipient of Court favor, being in 1704 appointed Governor of Guernsey, an office which he held for two years, retaining also the post of Bailiff of the Island, which he had for life. This is nearly the last we learn of him, and his age, nearly seventy years,
 must

must have debarred him from farther service. We find his name indeed among the new members in the "Proceedings of the Society for the Propagation of the Gospel in Foreign Parts, 20 Feb. 1712-3 to 19 Feb. 1713-4;"* and this was in the last year of his life, as he was buried at St. Anne's, Soho, Westminster, London, 27th Feb. 1713-4, in his 76th year.

There remain to be noticed only a few items in respect to Sir Edmund's marriages, all occurring after his return from Virginia.

We do not know how soon after the death of his first wife in 1688 he married again; but the examination made for us by Joseph L. Chester, Esq., of London, shows that Sir Edmund's second wife was Elizabeth, third daughter and co-heiress of Thomas Crispe of Quekes, co. Kent. Her father, who died in 1680, was the oldest son of Thomas Crispe, Esq. of Gondhurst, co. Kent, nephew and heir-male of Henry Crispe of Quekes. She was a widow, having married first Christopher Clapham, (son of Sir Christopher Clapham, Knt. of Clapham, co. York,) who died 15th November, 1677, and was buried in Birchington Church, Isle of Thanet, co. Kent: by him she had but one child, Christopher Clapham, who is mentioned in Andros's Will. It may be added, that Sir William Craven, brother of the first Lady Andros, married Mary Clapham, a sister-in-law of this Mrs. Elizabeth Clapham. The connection between the families rendered this second marriage of Andros the more natural.

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* Communicated by W. S. Appleton, Esq.

The second Lady Andros was buried at St. Giles'-in-the-Fields, co. Middlefex, August 18th, 1703.

Sir Edmund married thirdly, April 21st, 1707, Elizabeth Fitzherbert, of whose family nothing has been found. She survived him and was buried at St. Anne's, Soho, February 12th, 1716-17. He left no issue by any of his wives, though representatives of the family, in the line of his nephew, still reside at Guernsey.

In reviewing the long public career of Sir Edmund Andros, we are struck not less by the amount of work which he performed than by the censures which his services incurred. He was the Governor at times of every Royal Province on the main-land, and exercised a larger influence than any other of the rulers sent hither by Great Britain. He was repeatedly accused of dishonesty and oppression, yet he passed harmless through repeated examinations only to receive fresh promotion. He was apparently the chosen follower of James, and yet there is no reason to suspect him of any disloyalty to his country at the anxious period when that monarch was striving to retain his throne. He was intrusted by William with the government of Virginia, and was honored by Queen Anne; thus holding office under four successive monarchs. Surely there must have been some noble traits of character in a man thus perpetually involved in contests and thus invariably successful.

It is certainly to be regretted that we have been led to form our opinion of Andros from the reports of men who were deeply interested in maligning him. That his govern-
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ment was distasteful to the citizens of Massachusetts is undeniable, but no man sent here to perform the same duty would have been acceptable. In reality the grievance of the colonists lay in the destruction of their Charter, and filled with hatred to those who had thus deprived them of this accustomed liberty, they were at enmity with every form of government that might be imposed in its place. The leaders indeed found that a restoration of the Charter was impossible, but Increase Mather's letters testify how reluctantly the people acquiesced, and how sharply he was blamed for not effecting impossibilities.

As to the government of Andros, we fail to see in it any special hardships or persecution. He himself declares that he levied for the expenses of the State only the usual annual tax of a penny in the pound, which had been the rate for the previous fifty years. If other officers, not appointed by him, nor under his control, charged unmerciful fees, that was a matter to be urged against them. It is a significant fact, however, that most of these officers remained in America and were unmolested. If under instructions from the Crown, and fortified by the opinions of English judges, he attempted to collect rent for lands which the settlers claimed were their own, unless he used fraud or violence, he should no more be blamed than the lawyers employed in the cases.

We see then no reason to doubt that Sir Edmund Andros was an upright and honorable man, faithful to his employers, conscientious in his religious belief, an able soldier, possessed of great administrative abilities, a man worthy to be ranked among the leaders of his time. He may have been hasty of
speech,

speech, yet his words were followed by no acts of revenge ; he may have been proud of his ancestry and his position at Court, yet we find no evidence that his pride exceeded the bounds of decorum. He was singularly fortunate in acquiring the affection of the Indians at a time when their goodwill was of immense importance ; and his overthrow was the precursor of one of the most disastrous Indian wars that New England ever experienced.

It should be remembered, finally, that he labored under the disadvantage of being here at the time of a transition in affairs. He was fast building up a party here of those who wished to assimilate Massachusetts to other portions of the British empire. There were many, and those not the poorest or least educated, who were sorry when the reaction succeeded for a time and the old rule was re-established. And yet the triumph was but nominal, for the old Charter and the old system were never restored. The Colony was destined to enter upon a new career which was to reach to the Revolution, and undoubtedly a potent influence at the outset was the breaking up of old associations effected by Andros. The only injustice we need to repair, is the mistaken idea that he was the ruling cause of the change—it was something far more powerful. Unless, therefore, we are disposed to quarrel with the progress of events, and to wish to restore our State to the primitive rule of the Puritan church, we should cease to make a bugbear of the instrument of its overthrow. We may class Andros rather among those statesmen, unwelcome but necessary, whose very virtues and abilities are detested in their life-time, because they do so thoroughly their appointed work and initiate new periods in national history.



WILL OF SIR EDMUND ANDROS.

[Extracted from the Principal Registry of Her Majesty's Court of Probate,
in the Prerogative Court of Canterbury.]

In the Name of God, Amen.



S^r EDMUND ANDROS of Guernsey and now residing in the parish of St Anne in the Liberty of Westminster in the County of Middlesex Knight being in health of body and of good and perfect memory praised be God do make and ordain this my last Will and Testament in manner and form following that is to say First and principally I commend my soul into the hands of Almighty God my Creator trusting and assuredly hoping through the merits and mediation of my blessed Lord and Saviour Jesus Christ to inherit eternal life my body to be decently buried but without ostentation and as to the worldly estate it hath pleased God to bless me with

with

with I dispose thereof as followeth viz Impr: I order and direct that all the just debts which I may happen to owe at my decease be forthwith paid Item I give the sum of one hundred pounds for the placing of ten poor children to be apprentices to some trades or otherwise preferred according to the discretion of my Executor that is to say ten pounds for each child Item Whereas I am entitled to two several annuities of fifty pounds p. annum each payable out of the Exchequer by virtue of an Act of Parliament whereof the order for payment for one is number one thousand and ninety four and therefore payment of the other is number four thousand three hundred seventy seven now for a further and better provision for Dame Elizabeth my wife I do give unto her the said two several annuities of fifty pounds p: ann: a piece together with the several Tallys and Orders relating thereunto for and during the term of her natural life only and I also give unto my said wife the sum of one hundred pounds to be paid to her immediately after my death which said several annuities for life and one hundred pounds I do hereby direct appoint and declare are for and in lieu of a jointure and in full recompence of her dower and are hereby given to my said wife upon condition that she shall not claim any interest right or title in or to any lands tenements or hereditaments of which I am or shall be seized at the time of my decease and if my said wife shall after my death claim any estate right title or interest in or to any of my lands tenements or hereditaments Then the bequest herein made unto her of the said several annuities and of the said one hundred pounds as aforesaid shall be void and of none effect and then and in such case I give the said several annuities and

and the said one hundred pounds unto my Executor hereinafter named And from and after the decease of my said wife I also give the said two several annuities of fifty pounds each unto my Executor hereinafter named together with the Tallys & orders relating thereunto Item I give the sum of two hundred pounds which is due to me by bond from Thomas Cooper near Maidstone in Kent taken in the name of my late sister in law M^{rs} Hannah Crispe and all the interest that shall be due thereupon unto Christopher Clapham Esq (son of my late dear deceased wife) if I do not in some other give or secure to the said Christopher Clapham the s^d debt of two hundred pounds and interest Item I give to Edwin Wiat Esq Serjeant at Law (if he shall survive me) and in case of his death before me to his Executors Administrators or assigns the sum of three hundred pounds which is due and owing to me by mortgage made from M^{rs} Mary Hurt unto my said late wife by the name of Elizabeth Clapham Widow and all interest that shall be due thereupon and all my right and interest in and to the same upon this condition that the said Serj^t Wiat his executors administrators or assigns shall within six months next after my decease pay unto the said Christopher Clapham Esq the sum of two hundred pounds which sum I do give to the said M^r Clapham out of the said debt Item I give to my niece Elizabeth daughter of my late brother John Andros deceased the sum of two hundred pounds Item I give to my niece Ann daughter of my said late brother John Andros the sum of one hundred pounds Item I give to my nephew Cæsar son of my s^d late brother John Andros the sum of one hundred pounds Item I give to my nephew Edmund son of my said late brother John Andros

dros the yearly sum of twenty pounds for his maintenance which s^d yearly sum of twenty pounds my will is shall be paid by my Executor hereinafter named free from all taxes charges and payments whatsoever unto my said nephew Edmund or to such person or persons as shall from time to time have the care and keeping of him by equal half yearly payments for and during the term of his natural life that is to say at the feast of the Annunciation of the Bleffed Virgin Mary and the Feast of St. Michael the Archangel the first payment to begin and to be made at such of the said feasts as shall first happen after my death Item I give unto my nephew William son of my said late brother John Andros the sum of one hundred pounds Item I give to my nephew George Son of my late brother George Andros deceased all my estate and interest in the Island of Alderney which I shall be seized or possessed of at the time of my death either in fee simple or for any term of years or otherwise howsoever in the said Island of Alderney together with all powers privileges and franchises to me belonging and all my right title and interest thereto and I also give unto my said nephew George Andros the sum of five hundred pounds Item whereas there is payable to me or my assigns out of the Exchequer and chargeable on the Revenue of Excise by Act of Parliament two several annuities of fifty pounds each whereof the order for one is number four hundred sixty three & the order for the other is number four hundred sixty four I do hereby give unto my said nephew George Andros the said two several annuities or yearly sums of fifty pounds & all my term benefit & advantages in & to the same together with the Tallys and orders relating thereunto to be delivered to him
immediately

immediately after my decease Item I give to my niece Anne Lemefurier daughter of my said late Brother George Andros the sum of one hundred pounds Item Whereas Cæsar Knapton Gent is indebted to me in several sums of money by bond mortgage or otherwise the mortgage being made to Ralph Marshall Esq & by him assigned to me in lieu of moneys had of mine I do hereby give unto the s.^d Cæsar Knapton all such moneys as remains due to me from him & do also release unto him and his heirs all securities which I have for the same Item I give to William Le Merchant Son of my late niece Elizabeth Le Merchant dec^d the sum of one hundred pounds and to his sister Elizabeth the now wife of M^r Elizea Le Merchant the like sum of one hundred pounds Item I release and discharge my cousin Magdalen Andros Widow the Relict of my Cousin Amos Andros deceased and his heirs off and from all and every the sum and sums of money which is due and owing to me from the said Amos Andros by Bond or otherwise Item I release & discharge my cousin Mary Andros (daughter of the said Amos Andros deceased) off and from all sum and sums of money charges and other expences whatsoever which I have disbursed or have been at for her late maintenance or might have or clayme any wife for the same and also I give unto her the said Mary Andros the sume of one hundred pounds and my mind and will is and I doe hereby direct that the several and respective legacies hereinbefore given shall be by my Executor hereinafter named paid or assigned to the said several legatees entitled thereto within one year next after my decease nevertheles my will is and I do hereby declare that the said several legacies hereinbefore given are given to
the

the said several legatees respectively upon condition that they do not claim any other part of my estate than what is hereby given to them respectively and that if any or either of them or any other person or persons on their or any of their behalfs or claiming by or under them either or any of them shall or do clayme any part of my estate either real or personal other than what is by this my Will given to them respectively or shall in any wise molest hinder or disturb my nephews John Andros or his heirs or any claiming under him or them in the quiet possession or enjoyment thereof or shall upon his or their request refuse to release all his her or their claim interest or pretensions in or to all or any part or parcel of my estate other than what is hereinbefore respectively given to them That then and from thenceforth the legacy or legacys so given to him her or them respectively as aforesaid so claiming or refusing as aforesaid shall respectively cease determine and be utterly void and in such case I give the said legacy or legacys so as to be made void as aforesaid unto my said nephew John (eldest son of my said brother John Andros dec'ed) and his heirs Item I give to M^{rs} Margaret Baxter Widow the yearly sum of ten pounds to be paid to her tax free out of the interest rents issues and profits of the mortgage money hereinafter mentioned to be due to me from the estate of my late cousin Margaret Lowdon deceased by equal quarterly payments for and during the natural life of the said M^{rs} Baxter the first payment whereof to begin and to be made at the end of three calendar months next after my decease Item I discharge the heirs executors and administrators of the said M^{rs} Margaret Lowdon of and from all interest money that shall remain due to me at the time of my decease over
and

and above what fums of money ſhe did in her lifetime pay and which they or any of them ſhall have paid to me or by my order for the ſum of four hundred pounds which is due to me on the mortgage of her eſtate in Harron Alley without Aldgate London Item all other my eſtate whatſoever both real and perſonal in Great Britain Guernſey or elſewhere not herein diſpoſed of after all my debts legacies and funeral expences ſhall be paid and ſatiſfied I give deviſe and bequeath unto my ſaid nephew John (eldeſt ſon of my ſaid late brother John Andros deceaſed) and to his heirs But my will is that my ſaid nephew John or his heirs ſhall within two years after my deceaſe (if not built before) build a good ſuitable houſe on or at the Manor of Saçmares in Guernſey aforeſaid and if the ſaid John or his heirs ſhall not in that time build ſuch houſe (if not built before) Then my Will is and I do hereby direct and appoint my ſaid nephew John or his heirs to pay the ſum of five hundred pounds unto my ſaid nephew George Andros within one year after his or their neglect to build ſuch houſe as aforeſaid and I do hereby make ordain conſtitute and appoint my ſaid nephew John Andros (in caſe he ſurvives me) Sole Executor of this my laſt Will and Teſtament But if my ſaid nephew John Andros ſhall be then dead then and in ſuch caſe I make his heirs male Sole Executor of this my laſt Will and Teſtament And I do hereby revoke annul and make void all former wills by me made declaring this to be my laſt Will and Teſtament In witneſs whereof to this my laſt Will and Teſtament contained in five ſheets of paper I have to each of the ſaid ſheets ſett my hand and ſeal the nineteenth day of July Anno Dom: 1712 and in the eleventh year of the
reign

reign of our Sovereign Lady Anne by the Grace of God of Great Britain France and Ireland Queen Defender of the Faith

E. ANDROS.

Signed fealed declared and published by the said Sir Edmund Andros to be his last Will and Testament in the presence of the Witnesfes hereunder written which said Witnesfes subscribed their names in the presence of the said Sir Edmund Andros—James Spenceley—Rob: Hodson Jn^o Hodson—

Probatum fuit hujus modi Testamentum apud London coram Venerabili Viro Johanne Andrew Legum Doctore Surrogato Præhonorandi viri Domini Caroli Hodges Militis Legum Etiam Doctõris Curie Prerogativæ Cantuariensis Magistri Custodis Sive Commissarii legitime constituti Octavo die mensis Martii Anno D'ni Millefimo Septingentesimo decimo tertio juramento Johannis Andros Armigeri Executoris in dicto Testamento nominati Cui Commissa fuit administratio omnium et singulorum bonorum jurium et creditorum dicti defuncti de bene et fideliter administrando eadem ad Sancta Dei Evangelii Jurat.



From Sir Edmund's official Seal used in New England.



NOTES ON THE PRECEDING MEMOIR.



SINCE the foregoing pages were in type, we have been favored with some additional information concerning the Governor, through the kindness of A. C. Andros, Esq., one of the present representatives of the family.

A.

He refers, first, to the printed account of Sir Edmund Andros, to be found in the following book:—"Sarnia, or Brief Memorials of many of her sons," by Ferdinand Brock Tupper, Esq. of Guernsey, published in that island in 1862. In it the fact is mentioned that the manor or fief of Saufmarez. (*anglice* Saltmarsh) in St. Martin's parish, was sold in 1748 by the Andros family to a branch of the Saufmarez family which still owns it.

B.

Amice Andros, father of Sir Edmund, was "keeper of the castle of Jerbourg, and hereditary Cup-bearer to the King in Guernsey, as also one of the gallant defenders of Castle Cornet, during its memorable nine years' siege. Two of his brothers, military officers, were slain; one in the service
of

of the King of Bohemia, who was son-in-law of James I. of England; and the other in 1644, during the Civil War.”

C.

We have mentioned (p. xxii) that Sir Edmund received in 1683 a grant of the Island of Alderney for ninety-nine years. Mr. Tupper states that Lieut. General John Le Mefurier, who died 21st May, 1843, was the last hereditary governor of Alderney. He was descended from Anne Andros, sister and co-heir of George Andros, the nephew and heir of Sir Edmund. Gen. Le Mefurier resigned the patent in 1825, on condition of receiving a pension of £700 a year until its expiration in 1862.

D.

In an old pedigree, written about A. D. 1687 by Charles Andros, uncle of the Governor, and still preserved in the family, are a few additional items relating to Sir Edmund. Before 1660 he served three years in a troop of horse commanded by his uncle, Sir Robert Stone, in Holland, and had a commission as Ensign to go to the island of Funeme in Denmark. After the death of the Queen of Bohemia he was made ensign of the company of Sir John Talbot, Captain of the King's guards. He was married “in England” to Mary Craven in February, 1671. March 30th, 1672, (by which we understand the same year as that of his marriage,) he was made Major of Prince Rupert's Dragoons. “The 14th day of January, 1673,” (? 1673-4,) he received “by patent in reversion the charge of the Bailly of the island of Guernsey.” “The 13th April, 1683, the King, Charles II. gave

gave the charge of Gentleman in ordinary of his privy chamber” to Sir Edmund, and “the 6th day of the month of June, 1685, the King, James II. gave a commiffion to the above Sir Edmund Andros to command a troop of cavalry to go againft the rebels in England.” This refers of course to Monmouth’s Rebellion. In Auguft, 1685, he was made Lieut. Colonel of Lord Scarfsdale’s cavalry. (*Ante*, p. xxii.) “The 19th October, 1686, the above Sir Edmund left England to go to New-England;” he arrived 19th December, 1686. (*Ante*, p. xxvii.)

E.

We are indebted to Mr. Andros for a photograph of an original portrait of Sir Edmund, from which the engraving prefixed to this memoir has been made. As no other likenefs of the Governor has been publifhed, our readers will fully appreciate the kindnefs of this contribution, and will cordially join in expreffing thanks for it.





INTRODUCTION.



THE present volume of the Publications of the Prince Society contains chiefly reprints of pamphlets issued in the period between the overthrow of the government of Andros and the concession of the Second Charter of Massachusetts. Although the history of the administration of Andros has been told by Palfrey with his accustomed precision and fullness of detail, it has seemed to the Council of this Society desirable to place before the public the authorities upon which that account is based. This portion of our history is full of stirring incidents; the actors on each side were able men thoroughly in earnest, and during the interregnum in the government each party appealed to the public for sympathy and support by issuing printed accounts of its sufferings and its actions.

These broadsides and pamphlets are very rarely found in our libraries, and but a portion of them have been reprinted until now. They contain numerous details unworthy perhaps of a place in formal histories, and yet sufficiently important or curious to merit the attention of the antiquary; they
abound

abound in accusations and recriminations, many of which were unfounded and have dropped into oblivion: yet it may be added that the evident sincerity and ardor of the disputants prevent the narration from becoming uninteresting. It has been the aim of the editor to present these documents entire, correcting nothing but obvious typographical errors. Regarding these publications as being in themselves materials for history, it has seemed unnecessary to supply many notes, but for such expressions of opinion as may be found in those that occur, the editor and not the Society is responsible.

The first publication by either side in the Andros controversy, was a broad-side copy of the declaration of the Prince of Orange, as issued in England. Next perhaps was the Address to Andros, dated at the Town-house in Boston, April 18th, 1689, and which is reprinted in Byfield's Account. A copy of this black-letter sheet is in the library of the Massachusetts Historical Society.

The first pamphlet issued was Byfield's Account, sent to his friends in London and there published. John Palmer prepared his Impartial Account, written in defence of Andros and the other officials, and the first edition printed, very possibly in Boston, was sent forth anonymously. For certain reasons, we have preferred to reprint the second and revised edition of this book.

A rejoinder was published by the leaders in the rebellion, under the title of "The Revolution in New-England Justified," &c., to which was added a Narrative prepared by certain of Andros's Council who favored the popular side.

There

These two pamphlets were reprinted by Ifaiah Thomas in 1773, but copies of this edition are of considerable rarity. As this elaborate vindication of the Colonists contains many depositions, it has seemed proper to print in this volume the list of accusations collected by the committee of the General Court, from which mafs the more presentable affidavits were culled.

Thus far the collection is mainly confined to works written or printed in New-England, but at least an equal amount is to be obtained from the publications in England during the same period. The Agents of the Colony had been trying to obtain from King James II. the restoration of their Charter, and after his abdication they were equally persistent in seeking the favor of William and Mary. Of these patriotic labors a good account is given in their Brief Account concerning their Negotiation, and in other of Mather's published works. It is proposed in the second volume of this series to publish not only this Account, but several other pamphlets not hitherto reprinted, in which the conduct of the Colonists is attacked or defended. Such are the following: "A Narrative of the Miseries of New-England by reason of an Arbitrary Government erected there under Sir Edmund Andros, &c.," 1688; "A Vindication of New-England;" "New-England's Faction Discovered," 1690; "New-England Vindicated;" "Reasons for the Confirmation of the Charter;" and the "Humble Address of the Publicans of New-England."

There are also books relating incidentally to the affairs of the Colonists, as those against "Laying the Hand on the Bible

Bible in Swearing," of which a specimen is given in the present volume.

It will be seen, therefore, that while it has been found impracticable to attempt any chronological arrangement of books referring to a conflict waged simultaneously here and in England, there is a propriety in including them all in one collection. Many statements in our first volume which would seem to call for explanation, will be found to be fully refuted or confirmed by the testimony of other authorities in the second.

Very little will be taken from the ample stores of documentary evidence still remaining to be published, except where important additions can be made to the printed relation. The main object has been to reproduce the evidence which was laid before the public then, and not to attempt to prove that either side mismanaged its own case.

It will be remembered that the overthrow of Andros was not the work of the united Colony, but that a wealthy minority, embracing all the Episcopalians and officers of the Crown, was greatly opposed to it. Such a document as the Petition from the Inhabitants of Maine, printed in this volume, is thought to come within the plan of adding original documents within the scope of the printed claims.

The general title of "The Andros Tracts," has been given to this Collection, as it seemed desirable to have some name by which it could hereafter be quoted. Although the disputes were extended to subjects not affected by the conduct
of

of Andros and his associates in the government, their beginning is to be found in the overthrow of the centralised administration, and the attempt to restore the old Charters. The period is known in our annals as the Inter-Charter time, but for obvious reasons, this appellation was too general to give the name to this collection of reprints. Andros has been hitherto regarded as responsible for the acts committed while he was Governor, and there seems a propriety therefore in using his name to typify the political struggle which gave birth to these fugitive publications.

If these volumes shall be accepted as contributing in any degree to a better knowledge of the history of our State, those engaged in presenting them to the public will be fully repaid.

W. H. W.





THE ANDROS TRACTS.



AN
A C C O U N T

OF THE

Late Revolution

IN

N E W - E N G L A N D .

Together with the

DECLARATION

OF THE

Gentlemen, Merchants, and Inhabitants of *BOSTON*,
and the Country Adjacent. *April 18. 1689.*

Written by M^r. *NATHANAEL BYFIELD*,
a Merchant of *Bristol* in *New-England*, to his Friends
in *London*.

LICENSED, *June 27. 1689.*

J. Frazer.

L O N D O N :

Printed for **Ric. Chiswell**, at the *Rose and Crown* in
St. Paul's Church-Yard. MDCLXXXIX.



AN
ACCOUNT
OF
The Late REVOLUTION
IN
NEW-ENGLAND.

Written by M^r. *Nathanael Byfield*,¹ to his Friends, &c.

GENTLEMEN,



HERE being an opportunity of sending for *London*, by a Vessel that loaded at *Long-Island*, and for want of a Wind put in here; and not knowing that there will be the like from this Country suddenly, I am willing to give you some brief Account of the most remarkable things that have hapned here within this Fortnight last past; concluding that till about that time, you will have received *per Carter*, a full Account of the management of Affairs here. Upon the *Eighteenth* Instant, about Eight of the Clock in the Morning, in *Boston*, it was reported at the *South* end of the Town,

¹ Nathaniel Byfield, the writer of the following Account, was born in 1653, according to the obituary notice of him reprinted in the Massachusetts Historical and Genealogical Register, xviii. 289. He was the son of the Rev. Richard

Byfield, of Long-Ditton, in Surrey, one of the divines who composed the Westminster Assembly, by his wife, who was a sister of Bishop Juxon. He came to New England in 1674, and married Deborah, daughter of Captain Thomas Clark,

Town, That at the *North* end they were all in Arms; and the like Report was at the *North* end, respecting the *South* end: Whereupon Captain *John George*² was immediately seized, and about nine of the clock the Drums beat thorough the Town; and an Ensign was set up upon the Beacon. Then Mr. *Bradstreet*,³ Mr. *Danforth*, Major *Richards*, Dr. *Cooke*, and Mr. *Addington*, &c. were brought to the Council-house by a Company of Soldiers under the Command of Captain *Hill*. The mean while the People in Arms, did take up and put in Goal, Justice *Bullivant*,⁴ Justice *Foxcroft*, Mr. *Randolf*, Sheriff *Sherlock*, Captain *Ravencroft*, Captain *White*,

Clark, the Speaker and Assitant. By her Byfield had two daughters, one of whom married Lieut. Governor William Tailer, and the other became the wife of Edward Lyde. After the death of his wife, in 1717, Byfield married Sarah, youngest daughter of Governor Thomas Leverett, who died in 1730. He died in Boston, 6th of June, 1733, leaving his estate to his grandson, Byfield Lyde.

Colonel Byfield was one of the earliest settlers at Bristol, was Speaker in 1693, Judge of Probate and of Common Pleas for Bristol and afterwards for Suffolk. HUTCHINSON says (ii. 211) "He complained of being injuriously reproved by Mr. Dudley, in Council, for some alleged errors in judicial proceedings, and was after that always in the opposition." Perhaps the occasion was the one mentioned in the Council records, June 23d, 1710. Byfield produced his commission as Judge of Admiralty, and took the oaths. On the 24th, "Upon consideration of the unmannerly and rude behaviour of Nathaniel Byfield, Esq., yesterday, to his Excellency the Governor and the Board, and his peremptory refusal to obey their order directed to him as Judge of Probate, Advised That His Excellency be desired to suspend

the said Nathaniel Byfield, Esq., from the exercise of those civil offices that he holds under this Government."

² Captain George commanded the *Rose* Frigate, in which vessel Randolph came to Boston.

³ Simon Bradstreet, Thomas Danforth, John Richards, Eliza Cooke, and Isaac Addington were respectively the Governor, Lieutenant-Governor, and of the Assitants, at the close of the Government in 1686.

⁴ We give the following particulars of these persons. We can add nothing to the note on Benjamin Bullivant, which will be found in "John Dunton's Letters," (Prince Society, 1867,) p. 94. He was a prominent member of Andros's party, and Attorney-General under him. In 1711 he was living at Northampton, England, and was then aged about 65 years.

Francis Foxcroft was undoubtedly the son of Daniel Foxcroft, of Weetwood, in the parish of Leeds, Co. York, by his wife, Martha Layton. He was of Boston in 1679, and married Elizabeth, daughter of Governor Thomas Danforth. He died, 31st December, 1727, leaving sons Francis, who was Judge of Probate for Middlesex, and Thomas,

White, Farwell, Broadbent, Crafford, Larkin, Smith, and many more, as also *Mercey* the then Goal-keeper, and put *Scates* the Bricklayer in his place. About Noon, in the Gallery at the Council-houfe, was read the Declaration here inclofed. Then a Meffage was fent to the Fort to Sir *Edmund Androfs*, by Mr. *Oliver*⁵ and Mr. *Eyres*, figned by the Gentlemen then in the Council-Chamber, (which is here alfo inclofed)⁶; to inform him how unfafe he was like to be if he did not deliver up himfelf, and Fort and Government forthwith, which he was loath to do. By this time, being about

Thomas, who was minifter of the Firft Church in Bofton.

Edward Randolph had been followed to New England by two brothers of his, named Barnard and Giles, for fhares in the fpoil. Giles was commiffioned by him as Deputy-Collector for New England, November 26, 1683. (Palfrey, iii. 375.) He had alfo a coufin Mafon.

James Sherlock was made Sheriff by Andros in 1687. SAVAGE ftyles him of Portfmouth. His name is one of thofe taxed in Bofton in 1687.

Samuel Ravencroft, of Bofton, 1679, married Dionyfia, daughter of Major Thomas Savage, and had five children born here between 1681 and 1688. He was a Warden of King's Chapel in 1689, and his name is found on a petition to King William. SAVAGE expreffes the opinion that he probably left Bofton foon after the downfall of Andros.

Captain William White is named with Captain Anthony Howard and Mr. Thaddeus Maccarty, in a commiffion from Andros, dated 24th March, 1688, to receive contributions towards building an Epifcopal Church in Bofton. There can be no doubt that he is the man whofe character is drawn by

Dunton in his Letters from New England, p. 81. (Prince Society's Publications.)

George Farwell is on the Tax lift of Bofton for 1687.

Jofhua Broadbent is on the Tax lift for 1687. SAVAGE fays he was Provoft-marthal and Sheriff of New Hampshire in 1681, and married Sarah Osborn, at Woburn, 6 April, 1685.

Mungo Crafford was on the Tax lift of 1687, and by SAVAGE is faid to have been here for feveral years previous. He died in 1712, and from his inventory was probably an apothecary. He was twice married, and left an only daughter, Mary, wife of Stephen Paine.

Thomas Larkin is on the Tax lift of 1687, and feveral of the name were resident at Charlestown.

The Tax lift of 1687 has "— Maffy the Keeper;" but we have not otherwife identified him.

John Scates is on the Tax lift of 1687 and 1688.

* Nathaniel Oliver and John Eyre, probably. They were nearly allied, having married daughters of Thomas Brattle, and were both members of the Committee of Safety.

⁶ The Declaration and the Meffage are both reprinted in the text.

about two of the Clock (the Lecture being put by) the Town was generally in Arms, and so many of the Countrey came in, that there was Twenty Companies in *Boston*, besides a great many that appeared at *Charles Town* that could not get over (some say Fifteen Hundred). There then came Information to the Soldiers, That a Boat was come from the Frigat that made towards the Fort, which made them haste thither, and come to the Sconce soon after the Boat got thither; and 'tis said that Governor *Andros*, and about half a score Gentlemen, were coming down out of the Fort; but the Boat being seized, wherein were small Arms, Hand-Granadoes, and a quantity of Match, the Governour and the rest went in again; whereupon Mr. *John Nelson*,⁷ who was at the head of the Soldiers, did demand the Fort and the Governor, who was loath to submit to them; but at length did come down, and was with the Gentlemen that were with him, conveyed to the Council-house, where Mr. *Bradstreet* and the rest of the Gentlemen waited to receive him; to whom Mr. *Stoughton*⁸ first spake, telling him, He might thank himself for the present Disaster that had befallen him,

⁷ John Nelson, of Boston, was son of William Nelson, who was a nephew of Sir Thomas Temple, being the son of Robert Nelson, of Gray's Inn, by his wife, Mary, daughter of Sir John Temple. John Nelson married here Elizabeth Tailer, sifter of Lieutenant-Governor William Tailer, and daughter of William Tailer, a merchant of Boston, by his wife Rebecca, sifter of Lieutenant-Governor William Stoughton. HUTCHINSON (i. 378) says of him, he was "an enemy to the tyrannical government of Andros, but an Episcopalian in principle, and of a gay, free temper, which prevented his being allowed any share in the administration after it was settled, although he was at the head of the

party that demanded the surrender of the fort." He was taken prisoner and carried to Quebec, and thence to France, and did not rejoin his family till after an absence of some ten years.

⁸ William Stoughton, son of Israel S., of Dorchester, was of Harvard, and afterwards preached in England. Returning here, he was an Assistant, and was one of Andros's Council. He took the popular side, and was made Lieutenant-Governor and Chief-Justice, till his death, in 1701. He was twice left in command of the State, and unfortunately for his reputation, was one of the Justices who presided at the Witchcraft trials. He was the founder of Stoughton Hall, at Cambridge.

him, &c. He was then confined for that Night to Mr. *John Usher's*⁹ House under strong Guards, and the next Day conveyed to the Fort, (where he yet remains, and with him Lieutenant Colonel *Lidget*)¹⁰ which is under the Command of Mr. *John Nelson*; and at the Castle, which is under the Command of Mr. *John Fairweather*, is Mr. *West*, Mr. *Graham*, Mr. *Palmer*, and Captain *Tryfroye*.¹¹ At that time Mr. *Dudley*¹² was out upon the Circuit, and was holding a Court at *Southold* on *Long-Island*. And on the 21st Instant he arrived at Newport, where he heard the News. The next Day Letters came to him, advising him not to come home; he thereupon went over privately to Major *Smith's* at *Naragansett*, and Advice is this Day come hither, that yesterday about a dozen young Men, most of their own Heads, went thither to demand him; and are gone with him down to *Boston*.¹³ We have also Advice, that

⁹ John Usher was the noted bookseller, afterwards Lieutenant-Governor and Proprietor of New Hampshire. He was evidently a personal friend of Andros. He was son of Hezekiah Usher, and probably of the same family as the famous Archbishop Usher.

¹⁰ Colonel Charles Lidget, son of Peter L., of Boston, married Mary, daughter of William Hester, of Southwark. He died at London, 13th of July, 1698.

¹¹ John Fairweather, or Fayerweather, was the son of Thomas F., of Bolton, and died in 1712. His son Thomas was a noted merchant here.

John West, the Secretary, probably did not return from England, whither he was sent with Andros.

James Graham was banished with Andros, and probably did not return.

HUTCHINSON (i. 371) says "several letters mention the arrival from England, about this time, of John Palmer, who had been of Sir Edmund's Council

both in New England and New York, with a commission or appointment for chief judge of the Supreme Court." He published the defence of his patron's proceedings, which will be reprinted in this volume.

John Tryfroye is on the Tax list of 1687, yet this may have been Captain George Turfrey, who was of Saco in 1685, and a Warden of King's Chapel in 1693, who died in 1714.

¹² Joseph Dudley, son of Governor Thomas Dudley, was an Assitant from 1676 to 1685, President of the Colony in 1686, one of Andros's Council, and Chief-Justice. He was Governor from 1702 till 1715, and died in 1720.

¹³ Dudley seems to have been taken first to his house at Roxbury, (Palfrey, iii. 583,) but soon sent to the gaol. This was late in April; and on the 13th July, on account of illness, he was again allowed to go to Roxbury. PALFREY (iii. 594) cites a letter which shows that the

that on *Fryday* laſt towards Evening, Sir *Edmond Androfs* did attempt to make an Escape in Womans Apparel, and paſs'd two Guards, and was ſtopped at the third, being diſcovered by his Shoes, not having changed them. We are here ready to blame you ſometimes, that we have not to this day received advice concerning the great Changes in *England*, and in particular how it is like to fair with us here; who do hope and believe that all theſe things will work for our Good; and that you will not be wanting to promote the Good of a Country that ſtands in ſuch need as *New England* does at this day. The firſt Day of *May*, according to former Uſage, is the Election Day at *Road Iſland*; and many do ſay they intend their choice there then. I have not farther to trouble you with at preſent, but recommending you, and all our affairs with you, to the Direction and Bleſſing of our moſt Gracious God: I remain
Gentlemen,

Your Moſt Humble Servant at Command,

NATHANAEL BYFIELD.

Briſtol, *April 29.*
1689.

Through the Goodneſs of God, there hath been no Blood ſhed. Nath. Clark¹⁴ is in Plymouth Gaol, and John Smith in Gaol here, all waiting for News from England.

the ſame night ſome 200 or 300 of the rabble from Boſton went out thither and forced him to return. The keeper of the gaol would not receive him, and they took Dudley therefore to the houſe of his brother-in-law, Paige. On the 15th, the mob again tried to drive him from this ſhelter, and on the 16th he

ſurrendered himſelf and returned to the priſon.

¹⁴ Nathaniel Clark was one of Androſ's Council. John Smith was an Aſſiſtant in 1686, and is by PALFREY identified with the Major Smith before mentioned, at whoſe houſe Dudley was ſtaying.

NOTE.

NOTE.—For a clear account of the overthrow of the Government of Andros, the reader is referred to PALFREY'S History of New England, volume iii. chapters xiv. and xv. It is the opinion of that most able historian that this revolution had been projected before the occasion afforded by the landing of the Prince of Orange. The news of this revolution in England, which occurred in November, 1688, was brought to Boston by John Winflow, who arrived here from Nevis on the 4th of April, 1689. He brought with him a copy of the Prince's Declaration, and it was speedily reproduced in a broadside, "Boston, Printed by R. P. for Benjamin Harris at the London Coffee-House, 1689," a copy of which is in the library of S. G. DRAKE, Esq., of Boston.

A fortnight elapsed without any public action being taken by the opponents of Andros, when, for reasons now unknown, the outbreak chronicled by BYFIELD occurred on Thursday, April 18th.

The transactions may be briefly described as follows :—Early in the morning the rumor spread of the arming of the citizens. Then the drums beat, and many of the old Magistrates were escorted by the company commanded by Captain Hill, to the Council Chamber. The Governor's friends, to the number of fifty, were seized and put in gaol. By noontime the Declaration which follows was ready, perhaps had been ready in advance, and was proclaimed to the people by the gentlemen who had assumed the lead in the movement. Andros, who was in the Fort on Fort Hill, demanded a conference, which was declined, and in reply a summons, hereinafter reprinted, was sent to him, demanding his surrender. A boat sent to his rescue from the Rose Frigate was captured, and after some delay, the fear of an attack compelled Andros to yield himself prisoner. His friends were sent to the gaol, and he was lodged, under a guard, at Mr. Usher's house.

This ended the first day's operations. During the following four days, Andros was forced to order the surrender of the Castle; and as Captain George, of the Rose Frigate, was a prisoner, her officers consented to deliver up her sails, and the lay under the guns of the victorious citizens, deprived of power to injure.

On the 20th of April, the leaders formed a provisional government, called the "Council for the Safety of the People, and Conservation of the Peace," with the venerable Simon Bradstreet as its President. They summoned a convention, which met on the 9th of May, and a second convention, which assembled on the 22d of May. At the latter meeting the Governor and Magistrates chosen at the last charter-election consented to assume their former offices, and on the 29th of May, William and Mary were proclaimed. On the 30th July, 1689, an order was made by the King for the rendition of Andros, Randolph and John Trefry, but it not being received for some months, they embarked for England in February, 1690.

HUTCHINSON (i. 381-2) says that most of the persons who subscribed the advice to Andros, and also Wm. Johnson, of Woburn, and James Russell, of Charlestown, signed an order for the surrender of the forts. The "Council for the Safety of the People and Conservation of the Peace," was composed of the new Council and
divers

divers others, viz: James Ruffell, John Phillips, Penn Townfend, Joseph Lynde, John Joyliffe, Eliakim Hutchinson, Nathaniel Oliver, John Eyre, Jeremiah Dummer, William Johnson, John Hawthorne, Andrew Belcher, Richard Sprague, James Parker, Dudley Bradstreet, Nathaniel Saltonstall, Richard Dummer, Robert Pike, John Smith, Edmund Quincy, William Bond, and Andrew Pierce. Bradstreet was chosen President, Isaac Addington, Clerk, Wait Winthrop, Commander-in-chief, John Foster and Adam Winthrop, Treasurers.

We may add that PALFREY cites as authorities for his chapters, beside Byfield's Account, various documents in our State Archives, and also among the Colonial Papers in the State Paper Office in London. We may especially mention a letter from Captain George to Pepys, Secretary of the Admiralty, and a Narrative drawn up by John Riggs, a servant of Sir Edmund Andros.






THE
DECLARATION

OF THE

Gentlemen, Merchants, and Inhabitants of *BOSTON*,
and the Country Adjacent. *April* 18. 1689.¹⁵

§ I. E have seen more than a decad of Years rolled away, since the *English* World had the Discovery of an horrid *Popish Plot*; wherein the bloody *Devotoes* of *Rome* had in their Design and Prospect no less than the Extinction of the *Protestant Religion*: which mighty Work they called *the utter subduing of a Pestilent Heresy*; wherein (they said) there never were such hopes of Success since the Death of *Queen Mary*, as now in our days. And

¹⁵ We are indebted to the kindness of J. HAMMOND TRUMBULL, Esq., for the information that this Declaration was issued on a pot-folio sheet, measuring 12 1-4 by 8 1-2 inches. It covers three pages and the first quarter of the fourth page, double columns. The heading is the same as in the text, and the imprint is "*Boston*, Printed by *Samuel Green*, and Sold by *Benjamin Harris* at the *London Coffee-House*, 1689." HUTCHINSON (i. 381) says of it: "A long declaration was read from the balcony or

gallery of the town-house. This is printed at large in Neale and other writers. There would be room to doubt whether this declaration was not a work of time and prepared beforehand, if it did not appear, by the style and language, to have been the performance of one of the ministers of Boston (Mr. Mather) who had a remarkable talent for very quick and sudden compositions; besides, it was not printed till several days after, and perhaps was corrected and enlarged."

And we were of all men the most insensible, if we should apprehend a Country so remarkable for the true Profession and pure Exercise of the Protestant Religion as *New-England* is, wholly unconcerned in the Infamous Plot. To crush and break a Country so entirely and signally made up of *Reformed Churches*, and at length to involve it in the miseries of an utter Extirpation, must needs carry even a Supererogation of merit with it among such as were intoxicated with a Bigotry inspired into them by the great *Scarlet Whore*.

§ II. To get us within the reach of the desolation desired for us, it was no improper thing that we should first have our *Charter* Vacated, and the hedge which kept us from the wild Beasts of the field, effectually broken down. The accomplishment of this was hastened by the unwearied solicitations, and slanderous accusations of a man, for his *Malice* and *Falshood*, well known unto us all. Our *Charter* was with a most injurious pretence (and scarce that) of Law, condemned before it was possible for us to appear at *Westminster* in the legal defence of it; and without a fair leave to answer for our selves, concerning the Crimes falsely laid to our charge, we were put under a *President* and *Council*, without any liberty for an Assembly, which the other *American Plantations* have, by a Commission from His *Majesty*.

§ III. The Commission was as *Illegal* for the form of it, as the way of obtaining it was *Malicious* and *unreasonable*: yet we made no Resistance thereunto as we could easily have done; but chose to give all *Mankind* a Demonstration of our being a people sufficiently dutiful and loyal to our King: and this with yet more Satisfaction, because we took pains to make our selves believe as much as ever we could of the Whedle then offer'd unto us; That his *Majesty's* Desire was no other than the happy encrease and advance of these *Provinces* by their more immediate Dependance on the

the *Crown of England*. And we were convinced of it by the Courfes immediately taken to damp and fpoyl our *Trade*; whereof decayes and complaints prefently filled all the Country; while in the mean time neither the Honour nor the Treafure of the King was at all advanced by this new Model of our Affairs, but a confiderable Charge added unto the Crown.

§ IV. In little more than half a Year we faw this Commiffion fuperfeded by another yet more Abfolute and Arbitrary, with which Sir *Edmond Androfs* arrived as our Governour: who befides his Power, with the Advice and Confent of his Council, to make Laws and raife Taxes as he pleafed; had alfo Authority by himfelf to Mufter and Employ all Perfons refiding in the Territory as occafion fhall ferve; and to transfer fuch Forces to any Englifh Plantation in *America*, as occafion fhall require. And feveral Companies of Souldiers were now brought from *Europe*, to fupport what was to be impofed upon us, not without repeated Menaces that fome hundreds more were intended for us.

§ V. The Government was no fooner in thefe Hands, but care was taken to load Preferments principally upon fuch Men as were ftrangers to and haters of the People: and every ones Obfervation hath noted, what Qualifications recommended a Man to publick Offices and Employments, only here and there a *good Man* was ufed, where others could not eafily be had; the Governour himfelf, with Affertions now and then falling from him, made us jealous that it would be thought for his Majefties Intereft, if this People were removed and another fucceeded in their room: And his far-fetch'd Inftuments that were growing rich among us, would gravely inform us, that it was not for his Majefties Intereft that we fhould thrive. But of all our Oppreffors we were chiefly *fqueez'd* by a Crew of abject Perfons fetched from *New York*, to be the Tools of the Adverfary, ftanding
at

at our right hand; by these were extraordinary and intolerable Fees extorted from every one upon all occasions, without any Rules but those of their own insatiable Avarice and Beggary; and even the probate of a Will must now cost as many *Pounds* perhaps as it did *Shillings* heretofore; nor could a small Volume contain the other Illegalities done by these *Horse-leeches* in the two or three Years that they have been sucking of us; and what Laws they made it was as impossible for us to know, as dangerous for us to break; but we shall leave the Men of *Ipswich* and of *Plimouth* (among others) to tell the story of the kindness which has been shown them upon this account. Doubtless a Land so ruled as once *New-England* was, has not without many fears and sighs beheld the wicked walking on every side, and the vilest Men exalted.

He would neither suffer them to be printed nor fairly published.

§ VI. It was now plainly affirmed, both by some in open Council, and by the same in private converse, that the people in *New-England* were all *Slaves*, and the only difference between them and *Slaves* is their not being bought and sold; and it was a maxim delivered in open Court unto us by one of the Council, *that we must not think the Priviledges of English men would follow us to the end of the World*: Accordingly we have been treated with multiplied contradictions to *Magna Charta*, the rights of which we laid claim unto. Persons who did but peaceably object against the raising of Taxes without an Assembly, have been for it fined, some twenty, some thirty, and others fifty *Pounds*. Packt and pickt Juries have been very common things among us, when, under a pretended form of Law, the trouble of some honest and worthy Men has been aimed at: but when some of this Gang have been brought upon the Stage, for the most detestable Enormities that ever the Sun beheld, all Men have with Admiration seen what methods have been taken that they might not be treated according to
their

their Crimes. Without a Verdict, yea, without a Jury sometimes have People been fined most unrighteously; and some not of the meanest Quality have been kept in long and close Imprisonment without any the least Information appearing against them, or an *Habeas Corpus* allowed unto them. In short, when our Oppressors have been a little out of Money, 'twas but pretending some Offence to be enquired into, and the most innocent of Men were continually put into no small Expence to answer the Demands of the Officers, who must have money of them, or a Prison for them, tho none could accuse them of any Misdemeanour.

§ VII. To plunge the poor People every where into deeper Incapacities, there was one very comprehensive Abuse given to us; Multitudes of pious and sober Men through the Land, scrupled the Mode of Swearing on the Book, desiring that they might Swear with an uplifted Hand, agreeable to the ancient Custom of the Colony; and though we think we can prove that the Common Law amongst us (as well as in some other places under the *English Crown*) not only indulges, but even commands and enjoins the Rite of lifting the Hand in *Swearing*; yet they that had this Doubt, were still put by from serving upon any Juries; and many of them were most unaccountably Fined and Imprisoned. Thus one Grievance is a *Trojan Horse*, in the Belly of which it is not easy to recount how many insufferable Vexations have been contained.

§ VIII. Because these Things could not make us miserable fast enough, there was a notable Discovery made of we know not what *flaw* in all our *Titles to our Lands*; and, tho besides our purchase of them from the Natives; and, besides our actual peaceable unquestioned possession of them for near threescore Years, and besides the Promise of K. *Charles II.* in his Proclamation sent over to us in the Year 1683, That *no Man here shall receive any Prejudice in his Freehold*

hold or Estate: We had the Grant of our Lands, under the Seal of the Council of Plymouth: which Grant was Renewed and Confirmed unto us by King *Charles I.* under the Great Seal of England: and the General Court which consisted of the Patentees and their Associates, had made particular Grants hereof to the several *Towns* though 'twas now deny'd by the Governour, that there was any such Thing as a *Town* among us: to all which Grants the General Court annexed for the further securing of them, *A General Act*, published under the Seal of the Colony, in the Year 1684. Yet we were every day told, *That no Man was owner of a Foot of Land in all the Colony*. Accordingly, *Writs of Intrusion* began every where to be served on People, that after all their Sweat and their Coit upon their formerly purchased Lands, thought themselves *Freeholders* of what they had. And the Governour caused the Lands pertaining to these and those *particular Men*, to be measured out for his Creatures to take possession of: and the *Right Owners*, for pulling up the Stakes, have pass'd through Molestations enough to tire all the patience in the World. They are more than a few, that were by Terrors driven to take *Patents* for their Lands at excessive rates, to save them from the next that might petition for them: and we fear that the forcing of the People at the *Exhaust* hereunto, gave too much Rise to the late unhappy Invasion made by the *Indians* on them. *Blank Patents* were got ready for the rest of us, to be sold at a Price, that all the Mony and Movables in the Territory could scarce have paid. And several *Towns* in the Country had their *Commons* begg'd by Persons even by some of the Council themselves, who have been privately encouraged thereunto, by those that sought for Occasions to impoverish a Land already *Peeled, Mised out and Trodden down*.

§ IX. All the Council were not engaged in these ill Actions,

Actions, but those of them which were true Lovers of *their Country*, were seldom admitted to, and feldom consulted at the Debates which produced these unrighteous Things: Care was taken to keep them under Disadvantages; and the Governor, with five or six more, did what they would. We bore all these, and many more such Things, without making any attempt for any Relief; only Mr. *Mather*, purely out of respect unto the Good of his Afflicted Country, undertook a Voyage into *England*; which when these Men suspected him to be preparing for, they used all manner of Craft and Rage, not only to interrupt his *Voyage*, but to ruin his *Person* too. God having through many Difficulties given him to arrive at *White-hall*, the King, more than once or twice, promised him a certain *Magna Charta* for a speedy Redress of many things which we were groaning under: and in the mean time said, *That our Governor should be written unto, to forbear the Measures that he was upon.* However, after this, we were injured in those very Things which were complained of; and besides what Wrong hath been done in our Civil Concerns, we suppose the *Ministers* and the *Churches* every where have seen our Sacred Concerns apace going after them: How they have been Discouraged, has had a room in the reflections of every man, that is not a stranger in *our Israel*.

§ X. And yet that our Calamity might not be terminated here, we are again Briar'd in the Perplexities of another *Indian War*; how, or why, is a mystery too deep for us to unfold. And tho' 'tis judged that our *Indian Enemies* are not above 100. in number, yet an Army of *One thousand* English hath been raised for the Conquering of them; which Army of our poor Friends and Brethren now under *Papish Commanders* (for in the Army as well as in the Council, Papists are in Commission) has been under such a conduct, that not one *Indian* hath been kill'd, but more
English

English are supposed to have died through sickness and hardship, than we have adversaries there alive; and the whole War hath been so managed, that we cannot but suspect in it, a branch of the Plot *to bring us low*; which we leave to be further enquir'd into in due time.

§ XI. We did nothing against these Proceedings, but only cry to our God; they *have caused the cry of the Poor to come unto him, and he hears the cry of the Afflicted*. We have been quiet hitherto, and so still we should have been, had not the Great God at this time laid us under a *double engagement* to do something for our security: besides, what we have in the strangely unanimous inclination which our Countrymen by extreamest necessities are driven unto. For first, we are informed that the rest of the English *America* is alarmed with just and great fears, that they may be attack'd by the *French*, who have lately ('tis said) already treated many of the English with worse then *Turkish Cruelties*; and while we are in equal danger of being surpris'd by them, it is high time we should be better guarded, than we are like to be while the Government remains in the hands by which it hath been held of late. Moreover, we have understood, (though the *Governour* has taken all imaginable care to keep us all ignorant thereof) that the Almighty God hath been pleas'd to prosper the noble undertaking of the Prince of *Orange*, to preserve the three Kingdoms from the horrible brinks of Popery and Slavery, and to bring to a Condign punishment those *worst of men*, by whom *English Liberties* have been destroy'd; in compliance with which Glorious Action we ought surely to follow the Patterns which the Nobility, Gentry and Commonalty in several parts of those Kingdoms have set before us, though *they* therein chiefly propos'd to prevent what *we* already endure.

§ XII. We do therefore seize upon the Persons of those few *Ill Men* which have been (next to our Sins) the grand

Authors

Authors of our Miseries; resolving to secure them, for what Justice, Orders from his Highness, with the *English Parliament* shall direct, lest, ere we are aware, we *find* (what we may *fear*, being on all sides in danger) our selves to be by them given away to a Forreign *Power*, before such Orders can reach unto us; for which Orders we now humbly wait. In the mean time firmly believing, that we have endeavoured nothing but what meer Duty to God and our *Country* calls for at our Hands: We commit our *Enterprise* unto the Blessing of Him, *who hears the cry of the Oppressed*, and advise all our Neighbours, for whom we have thus ventured our selves, to joyn with us in Prayers and all just Actions, for the Defence of the Land.

[NOTE.—The following Declaration was also issued as a broadside, in black-letter, and a copy is in the library of the Massachusetts Historical Society.]



At the *Town-House* in *Boston*, *April 18.* 1689.

SIR,



VR Selves and many others the Inhabitants of this Town, and the Places adjacent, being surprized with the Peoples sudden taking of Arms; in the first motion whereof we were wholly ignorant, being driven by the present Accident, are necessitated to acquaint your Excellency, that for the quieting and securing of the People inhabiting in this Country from the imminent Dangers they many ways lie open and exposed to, and tendring your own Safety, We judge it necessary you forthwith surrender and deliver up the Government and Fortification to be preserved and disposed according to Order and Direction from the Crown of England, which suddenly is expected may arrive; promising all security from violence to your Self or any of your Gentlemen or Souldiers in Person and Estate: Otherwise we are assured they will endeavour the taking of the Fortification by Storm, if any Opposition be made.

To Sir Edmond Andros Kt.

Waite Winthrop.
Simon Bradstreet.
William Stoughton.
Samuel Shrimpton.
Bartholomew Gidney.
William Brown.
Thomas Danforth.
John Richards.

Elifha Cook.
Isaac Addington.
John Nelson.
Adam Winthrop.
Peter Sergeant.
John Foster.
David Waterhouse.

F I N I S .

AN
IMPARTIAL ACCOUNT
OF THE
State of New England:
OR, THE
Late GOVERNMENT there, Vindicated.

In Answer to the

DECLARATION

Which the FACTION set forth, when they Over-
turned That GOVERNMENT.

With a Relation

Of the Horrible Usage they treated the Govern-
our with, and his Council; and all that had His Ma-
jesty's Commission.

In a LETTER to the CLERGY there.

By *John Palmer.*

LONDON:

Printed for *Edward Poole*, at the *Ship* over against the *Royal Exchange*, in *Cornhill*, 1690.



THE P R E F A C E .



HERE was so much Industry used in New England, by those who had taken upon themselves the Government, that nothing should come abroad which might undeceive the People, already wrought to such a pitch of Credulity, easily to believe the most monstrous Lyes and Follies, that the ensuing Letter could not be Printed without excessive Charge and Trouble; the Presb being forbid to any that were injur'd, to justify themselves, though open to all that would calumniate, and abuse them; so that for several Months it appeared in Manuscript, by stealth,¹⁶ branded with the hard Name of a *Treasonable*

¹⁶ Notwithstanding PALMER's insinuation of the danger of possessing his book, it was published in Boston the same year. It was then entitled, "The Present State of New England, impartially considered in a Letter to the Clergy, by F. L." As this first edition is much more diffuse, we have preferred to print the revised edition at this time; though for the purposes of comparison, we shall print the other version in the succeeding volume of this series. The present pamphlet varies from the first, or Boston edition, as PALFREY (Hist. iii. 582) says, by "alterations, additions and omissions, particularly the omission of a fet argument, bolstered up with numerous authorities, digested under nine

heads, and covering some twenty pages, against the sin of rebellion,—an argument which would not have been opportune at the Court of the Liberator, in the first year of his reign."

As to the subject matter of this pamphlet, it must be allowed to be a bold and ingenious presentation of the best possible defence of Andros and his operations. If the writer's point be conceded, that the Charter had been properly and legally declared "void, null and cancelled," and that the liberties and privileges of the company were seized into the King's hands, it does not seem that Andros had been a very severe ruler.

It seems hardly necessary to add that this

Treasonable and Seditious Libel; and would have been little better than Death, for any one, in whose Hands it should have been found; but remained unanswered, although Care was taken that it came to the Hands of some of the Persons to whom it was directed.

I was then oblig'd to conceal my Name, because I was in their Hands, and liable to whatever their Malice could prompt them to impose upon me; but being now at Liberty, and having revised it, I have thought fit, for the Justification of Sir Edmond Andros, and the rest of my Fellow-Sufferers, to make it publick here, that the World may see how barbarously we have been used, and most unmercifully dealt withal, by those Professing People; who for the better effecting the Subversion of Kingly Government, and establishing their Old Commonwealth, contrary to the Laws both of God and Man, and their Faith given; detain'd us Ten Months in Prison, without any Mittimus, or just Cause, alledged for their so doing; and afterwards caused us to be put on Board a deep laden Ship, where we endured all the Miseries of a Troublesome Winter Voyage; but (by God's Blessing) escaped both the danger of the Seas, and our Enemies, and appeared at the Council-Board, where the worst of our Enemies, (even the
 very

this view was diametrically opposed to that of the Colonists, who wished to preserve the right of self-government, and were little disposed to acquiesce in the doctrine that they were possessed of less rights than their fellow-subjects in England.

On some points, indeed, the defence has evidently the advantage. It will be conceded that Andros had dealt harshly with the people here, though his most severe punishments are insignificant in comparison with the acts of English rulers and partisans; but no one now can believe that he intended to ruin the country. The accusations

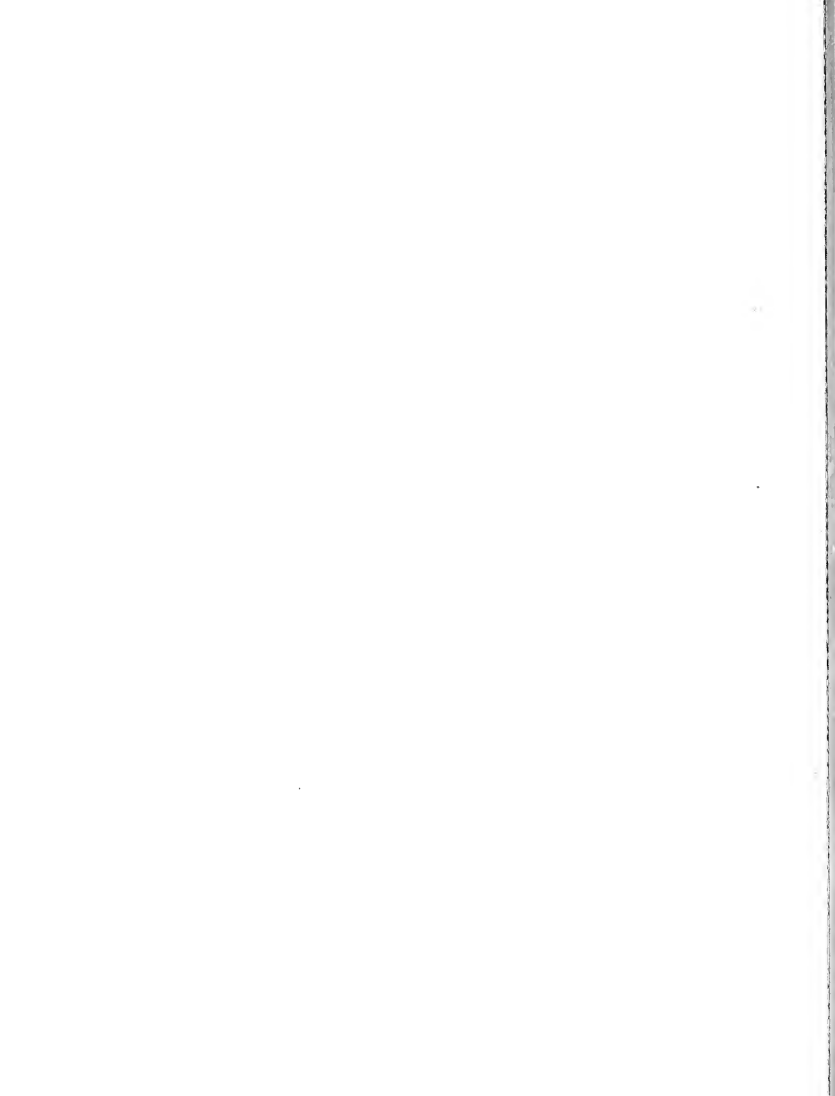
of treacherous treaties with the Indians were evidently stories of which a certain use was to be made, but which were not believed by the leaders of the opposition.

This is not the proper place to discuss the character of Andros, and we have attempted simply to examine into the merits of John Palmer's Letter, as a literary work. Whether Palmer received in London the assistance of any better writer in revising and correcting his essay, cannot now be known; but if it were his unaided production, it certainly stamps him as a man of ability.

very Men that had so unjustly imprisoned and detain'd us) had nothing to say or object against us.

Their Declaration (published as the Cause of their Insurrection) is herein particularly answered, and matter of Fact truly alledged, not in Scandalous, Base, and Abusive Reflections, as some of their Pamphlets are stuff'd withal, but with that Sincerity and Moderation which becomes a Christian; and altho' there are many things in it so frivolous, that to Men of Business, it may seem impertinent to answer; yet I hope to be excused, because the meanest things made so deep an Impression on the Vulgar and Ignorant People, that it was absolutely necessary they should be undeceived.

I hope it will satisfie every unprejudiced Person, and sufficiently convince the World that our Imprisonment was not for any Crime committed, but that (we being employed from the Crown) by our Removal, the more easie Subversion of Monarchy, and Destruction of the Church of England might be effected; both which they ever mortally hated, and had long plotted to ruine, making use of this juncture of Affairs, and Their Majesties Names to cloak their Design, whilst their Service was never intended, as is evident by their withdrawing the Force from the East-ward, by which their Majesties Fort and Garrison of Pemyquid, and the whole County of Cornwall, the greatest part of the Province of Main, and part of the Province of New Hampshire were lost; the Inhabitants being driven from their Houses, and above 300 of them taken Captives, and Murthered by the Indians; embezling their Majesties Stores, Arms and Ammunition, seizing and dismantling their Frigat, destroying their Revenue, setting up a Republick Government, making Laws, erecting Courts of Judicature, condemning and executing their Fellow Subjects, denying them Appeals to their Majesties, and burthening them with intollerable Taxes, without any manner of Lawful Authority, for so doing, to the great Violation of the Laws, and destructive of the Liberty of the Subject.





The State of NEW-ENGLAND, Impartially considered, &c.

Reverend Sirs,



TWO Months have already passed away, since, with Astonishment, I have beheld the most deplorable Condition of this Country; into what a *Chaos* of Confusion and Distraction have this People run themselves; and in what a labyrinth of Miserys and Perplexitys are they involved! 'Tis high time now to make some serious Reflections on the State of Affairs.

In the first place therefore, 'twill be necessary to consider,

1. *For what Reasons, and to what End, did they take up Arms?*

2. *Whether those Reasons be substantial, and such as carry with them weight enough to justify the Act; and whether the proposed End can be obtained by such Methods?*

3. *If not, What will be the Event, and whether any way be left open for a Peaceable and Friendly Settlement?*

Although 'tis not a doubt but a prevailing Party among you, to gratifie their Malice, Ambition or Revenge, have been the *Plotters* and *Contrivers* of these unhappy Troubles; and the better to carry it on, have made use of the deluded Countrymen,

Countrymen, as *the Monkey did the Cats Foot, to pluck the Chesnut out of the Fire*: Yet I shall not meddle in that matter; I will only instance such things as Conversation and Report have brought to my Knowledge, or as I shall find obvious in the *Declaration*; the sum of which is:

1. That above ten Years since, there was an horrid Popish Plot in the Kingdom of *England*, in which the Extirpation of the *Protestant Religion* was design'd; and there was great reason to apprehend the Reform'd Churches of *New-England* were to be over-whelm'd in the same Pit of Ruine and Destruction.

2. That the better to effect it, their *Charter* (the only Hedge which kept them from the wild Beasts of the Field) was both injuriously and illegally Condemned, before it was possible for them to appear at *Westminster* in the Legal Defence of it; and without a fair leave to answer for themselves.

3. That by an illegal Commission they were put under a President and Council, which was soon superseded by another, more Arbitrary and Absolute, to Sir *Edmond Andros*, giving him Power, by the advice of his Council, to make Laws, and levy Taxes, as he pleased; to muster and employ all Persons resident in the Territory as occasion should require, and them to Transfer to any *English* Plantation; and that there were courses taken to damp and spoil their Trade, while neither the Honour nor the Treasure of the King was advanced.

4. That several Redcoats were brought over, to support what should be imposed upon them, and more threatned.

5. That Preferments were principally loaden on Strangers and Haters of the People.

6. That they were Squeeze'd and Oppress'd by a Crew of abject Persons from *New York*, who took, and extorted, extraordinary and intollerable Fees.

7. That

7. That it was impossible to know the Laws that were made, and yet dangerous to break them.

8. That by some in open Council, and by the same in private Converse, it was affirmed, That the People in *New England* were all Slaves; and the only difference between them and Slaves, was their not being Bought and Sold; and that it was a Maxime delivered in open Court, by one of the Council, *That they must not think the Privilege of English-men would follow them to the end of the World.*

9. That they were denied the Privileges of *Magna Charta*; and that Persons who did but peaceably object against raising Taxes, without an Assembly, were for it severely Fined.

10. That Juries have been pick'd and pack'd, and that some People have been Fined without a Verdict, *yea, without a Jury.*

11. That some People have been kept long in Prison, without any Information against them, or being charged with any Misdemeanor, or *Habcas Corpus* allowed.

12. That Jury-men were Fined and Imprisoned for refusing to lay their Hands upon the Book, as they came to be Sworn, contrary to the Common Law of *New England.*

13. That there was a discovery made of Flaws in the Titles of their Lands; and that the Governour denied that there was any such thing as a Town among them, and that more than a few were by Terrors drawn to take Patents at excessive rates.

14. That *Writs of Intrusion* were issued out.

15. That the Governour caused their Lands to be measured out for his Creatures, and that the right owners for pulling up the Stakes, have been grievously molested; and several Persons had their Commons begg'd.

16. That the forcing of the People at the East-ward to take Patents, gave a rise to the late unhappy Invasion by the *Indians.*

17. That

17. That blank Patents were got ready to be fold at great Prices.

18. That the Governour, and five or fix of the Council, did what they would; and that all fuch as were Lovers of their Country, were feldom admitted.

19. That all manner of craft and rage was ufed to hinder Mr. *Mather's* Voyage to *England*, and to ruine his Perfon.

20. That although the King promifed Mr. *Mather* a *Magna Charta* for redrefs of Grievances; and that the Governour fhould be Wrote unto, to forbear thefe meafures that he was upon, yet they were ftill injur'd in thefe very things which were complained of.

21. That the Minifters and Churches have been difcountenanced.

22. That they were imbryar'd in an *Indian-war*; and that the Officers and Soldiers in the Army were under *Popifh Commanders*.

23. That the reft of the Englifh Plantations being alarm'd with juft fears of the *French*, who have treated the *Englifh* with more than *Turkifh* Cruelty, could not but ftir them up to take care for their own Prefervation, left they fhould be delivered to the *French*, before Orders could come from *His Highnefs the Prince of Orange, and the Parliament of England*.

24. That they have for their Example, the Nobility, Gentry, and Commons of *England*; and above all, they efteem it their Duty to God, fo to have done.

Thus far have I trac'd the *Declaration*, and do not know that any one thing material is omitted; I fhall now mention fome other Matters which have occurred.

'Twas credibly Reported,

That *Boston*, and all the Inhabitants were to be deftroyed; and to that end the *Mohacques* were to be brought down.

That there were feveral Fire-works prepared in the Fort, and Vaults dug under Ground to blow up the Town.

That

That the Soldiers at the East-ward were all poisoned with Rum.

That there were thirty Sail of *French* Frigats upon the Coast: With several other trifling things, which I cannot recollect.

These are the principle Reasons alleaged for their taking up Arms; now the end can be no other than the redrefs of those Evils complained of.

The next thing then to be considered of is, *Whether all, or any of the Reasons aforesaid, are sufficient to justify their Proceedings; and whether the proposed end can be attain'd by such Measures?*

1. That there was a Popish Plot is without doubt; and if *England* at that time had fallen under the Yoak of *Roman Tyranny*, 'tis as certainly true *New England* must have undergone the same Fate; but that this should be used or introduced as a Reason or Argument for vacating their Charter, is beyond my Conception; for if they had once prevailed, How weak a rampart would the Charter have been against so cruel and powerful an Enemy? Would the Papists have made *Westminster-Hall* the Arbiter? Certainly no; their Wills would have been their Law, and *the Hedge would have been broke down*, with a great deal of ease. Is it reasonable to imagine, that after they had with Force and Violence attained their wished-for End in Old *England*, they would make use of Politicks in New? And as preposterous and unreasonable to Fancy, that for that end the Charter was called in Question; especially when you consider, that four *decades* of Years have already past, since the Crown of *England* first thought it not fit for them to hold any longer; and several Years after, the Popish Plot was discovered, before the *Scire Facias* issued out.

2. That the Charter was injuriously and illegally Condemned, without giving them timely notice of it, or allowing them

them to answer for themselves, might bear some weight with it, if true; but it will appear quite otherwise, and that they had opportunity enough to have made Defence on behalf of their Charter, if they had thought fit: For several Years before the proceedings to the Condemnation thereof, our late Sovereign King *Charles* the Second, by His Letters signified to them the many Complaints that were made to him of their Encroachments, and ill Administration of the Government; and to command that they should send over Agents, sufficiently Authorized, to answer the same; which at length they so far comply'd with as to send them: But when they were called to hear, and answer the said complaints, always excused and avoided the principal part thereof, pretending they were not sufficiently impowered to that purpose; and afterwards other Agents were sent, fully impowered to answer, but not to submit or conclude any thing: And when His Majesty was pleas'd to cause a Writ of *Quo Warranto* to be sued forth against the *Charter*, and sent over with his Gracious Declaration, and proposals of such Regulations to be made therein, as might be agreeable with His Majesty's Service, and the good and welfare of his Subjects here, and required an intire submission thereto, the General Court would not submit to, or comply therewith; only a Letter was sent to the Right Honorable Sir *Lionell Jenkins*, then Secretary of State, Dated the 10th. of *December*, 1683. Subscribed by the Governour, and eight of the Assistants only, wherein, after the acknowledgment of their having had a Copy of the *Quo Warranto*, and his Majesty's *Declaration*, they say, That the major part of the Magistrates have for several Weeks declared their Opinion, and voted to lay themselves at His Majesty's Feet, by an humble submission and resignation of themselves to his Majesty's pleasure; not being willing to contend with his Majesty in a course of Law, but by the next opportunity to dispatch their Agents fully

fully impowered to make their Submission according to his Majesty's said Declaration, but by no means can at present obtain the consent of the *Deputies*, whereby to make it an Act of the *Corporation*; and therefore have agreed with them to a power of Attorneyship, to save a Default, in hopes that further time will prevail to dispatch their Agents accordingly, and shall earnestly endeavour to give the People a better understanding, before the next Ship Sail from hence.

His Majesty by this, finding that all the easie means he had used, could not bring them to any answer for the Crimes and Misdemeanors laid to their charge, nor produce any thing else but baffles and delays, gave Order to his Attorney-General, to sue out a Writ of *Scire Facias* from the High Court of *Chancery*, against the *Governour and Company*; which was accordingly done, directed to the *Sheriffs of London*, &c. and made returnable in *Easter-Term*, in the 36th. Year of His Majesty's Reign; wherein they were required to make known to the said *Governour and Company* at *London*, That they appear in His Majesty's High Court of *Chancery* at *Westminster*, on the Day of the return thereof, to shew cause wherefore the said *Charter*, for the Reasons in the said Writ of *Scire Facias* mentioned and contained, should not be made void, null, and cancell'd; and the Liberties and Privileges thereby granted to the said *Governour and Company*, be Seized into the King's Hands; upon which Writ the said *Governour and Company* not appearing, another Writ of *Scire Facias*, of the same Tenor issued forth, returnable in *Trinity-Term*, then next following, when the said Governor and Company appeared by their constituted Attorney and Council; but refused to Plead to the said Writ, only moved for time to send to *New England*, which not being agreeable with the Rules and Practice of the Court in such Cases, could not be allowed; but in Favour to them a Rule was made, That unless they Pleaded by the first day
of

of the then next *Michaelmas-Term*, Judgment should be entered by Default: And in that *Term*, for default of Pleading, Judgment was entered on His Majesty's behalf, and the said Charter adjudged to be void, null, and cancell'd, and that the Liberties and Privileges of the said *Governour and Company* be Seiz'd into the *King's Hands*; which was accordingly done, by the *Exemplification* of the said *Judgment* in the Reign of K. *James* the Second, and by His Majesty's Commission to a *President and Council* to take the Government of this Countrey. All which Proceedings are most just and legal, according to the Rules and Practice of the Law of *England*, and agreeable with many Precedents of the like Nature, both ancient and modern.

Besides, all Companies, Corporations, or Bodies Politick, made or granted by Letters Patents, or Charter, from His Majesty, for any part or places beyond the Seas, are by themselves or Agents to be alwaies ready to answer His Majesty in any of his Courts at *Westminster*, when he shall think fit to order any Suit or Writ to be Sued or Prosecuted against them, and are supposed to be resident in or about *London* or *Westminster* for that purpose, as the *East-India*, *Royal African*, *Bermoodos*, and *Hudsons-bay Companys* are, who have their Trade, Factories, Collonys, and Plantations, abroad in *Asia*, *Africa*, and *America*: And in the like state or condition were the *Company or Corporation of Massathufets-Bay* in New England to be, according to the Capacities given them by their Incorporation, of *Suing and being Sued, Pleading and being Impleaded*, as appears by the *Dogget-Book of the Council*, when the Charter was first Granted; wherein if they have neglected their Duty, as well as exceeded their Powers and Privileges granted, and would not put themselves into a condition to be heard, when they ought and might, it is not His Majesty, nor the proceedings of His Courts that are to be blamed, but themselves.

3. That

3. That there was a Commission sent to the *President*, and the successive one, to Sir *Edmond Andros*, are both true; but they were illegal, is a Position too confidently asserted by the Pen-man, who seems to be more a *Clergyman* than a *Lawyer*; but because the well clearing up of this point will be of great service to the subsequent Discourse, 'twill not be amiss that it be thoroughly considered. I shall therefore lay down this as a certain *Maxime*, both consonant to Reason and the Laws of the Land, That *those Kingdoms, Principalities, and Colonies, which are of the Dominion of the Crown of England, and not of Empire of the King of England, are subject to such Laws, Ordinances, and Forms of Government, as the Crown shall think fit to establish.* New England, and all the Plantations are subject to the Dominion of the Crown of England, and not to the Empire of the King of England: Therefore the Crown of England may Rule and Govern them in such manner, as it shall think most fit. For the proof of which I shall instance *Wales*, which was once a Kingdom, or Territory, govern'd by its own Laws; but when it became of the Dominion of the Crown of England, either by Submission or Conquest, it became subject also to such Laws as King *Edward* the First (to whom they submitted) thought fit to impose, as may plainly appear in the Preamble of the *Statute of Rutland.* *Leges & consuetudines partium illarum hactenus usitatas, coram Nobis & proceribus Regni nostri fecimus recitari, quibus diligenter auditis, & plenius intellectis, quasdam illarum de consilio Procerum prædictorum delevimus, quasdam permissimus, & quasdam correximus, & etiam quasdam alias adjiciendas & faciendas decrevimus, & eas de cætero in terris nostris in partibus illis perpetua firmitate teneri & observari volumus, in forma subscripta.* We have caused the Laws and Customs of those parts hitherto used, to be recited before Us, and the Peers of Our Realm, which being diligently heard, and more fully

fully understood, some of them, by the Advice of Our Peers aforefaid, We have obliterated, some We have allowed, and some We have corrected; And have alfo Decreed, That fome others fhall be made; and We will, that for the future, they be holden and obferved in Our Lands in thofe parts, with perpetual Firmnefs in manner hereinafter expreffed. Then follow the Ordinances, appointing Writs original and judicial, in many things varying from thofe of *England*, and a particular manner of proceeding.

And again, in the clofe of the fame Statute, *Et ideo vobis Mandamus quod præmiſſa de cætero omnibus obſervetis, ita tantum quod quotieſcunq; quancuncq; & ubicunq; Nobis placuerit, poſſimus prædicta Statuta & earum partes ſingulas declarare, interpretari, addere ſive diminuire pro Noſtræ libito voluntatis, prout ſecuritate Noſtræ & Terræ Noſtræ viderimus expediri.* And therefore We Command you, That from henceforward you obſerve the Premiſes in all things, ſo only, that as often, whenſoever, and whereſoever We pleaſe, We may Declare, Interpret, Add to, and Diminiſh from the ſaid Statutes, and every part of them, according to Our Will and Pleaſure, ſo as We ſhall ſee it expedient for the ſafety of Us, and Our Land aforefaid.

In the next place I ſhall inſtance *Ireland*: That it is a Conquer'd Kingdom is not doubted, [*Cooke Rep. Fol. 18.*] but admitted in *Calvin's* caſe, and by an Act of the 11th. 12th. and 13th. of King *James*, acknowledged in expreſs Words, *viz. Whereas in former times the Conqueſt of this Realm, by His Majeſty's moſt Royal Progenitors, Kings of England, &c.*

That by virtue of the *Conqueſt*, it became of the Dominion of the *Crown* of *England*, and ſubject to ſuch Laws as the Conqueror thought fit to impoſe, until afterwards by the Charters and Commands of *H. 2. K. John*, and *H. 3.* They were Intituled to the Laws and Franchiſes of *England*, as
by

by the said Charters, reference being thereunto had, may more fully appear, I shall only instance two.

The First is out of the close Rolls of *H. 3.* wherein the King, after Thanks given to *G. de Mariscis* Justice of *Ireland*, signifies, That himself, and all other his Lieges of *Ireland*, should enjoy the Liberties which he had granted to his Lieges of *England*; and that he will grant and confirm the same unto them: [*Claus. 1. H. 3. Dorso 14.*] which afterwards in the 12th. Year of His Reign he did, as followeth; *Rex dilecto & fideli suo* Richardo de Burgo *Justiciar suo* Hibern. *Salutem; Mandavimus vobis firmiter præcipientes, quatenus certo die & loco faciatis venire coram vobis, Archiepiscopos, Episcopos, Abbates, Priores, Comites & Barones, Milites & Libere Tenentes, & Balivos singulorum Comitatum, & coram eis publice legi faciatis Chartam Domini Johannis Regis Patris Nostri cui sigillum suum appensum est, quam fieri fecit, & jurari a Magnatibus Hiberniæ de legibus & consuetudinibus Angliæ observandis in Hibernia. Et præcipiatis eis ex parte nostra, quod leges illas & consuetudines in Charta prædicta contentas de cætero firmiter teneant & observent.* The King to his Faithful and Beloved *Richard de Burg* Justice of *Ireland* Greeting. We have Commanded you, firmly enjoying you, That on a certain day and place, you make to come before you the Arch-Bishops, Bishops, Abbats, Priors, Earls, Barons, Knights and Free-holders, and the Bayliffs of every County; and before them you cause to be publickly read the Charter of the Lord King *John*, our Father, to which his Seal is affixed, and which he caused to be made and Sworn to by the Nobility of *Ireland*, concerning the Laws and Customs of *England* to be observed in *Ireland*: And command them on our behalf, That for the future they firmly keep and observe those Laws and Customs contained in the Charter aforesaid.

By all which it is evident, That after the Conquest, and
before

before the recited Charters, the Inhabitants there, although composed of many *Free-born English Subjects, who settled themselves amongst them*, were neither govern'd by their own Laws, nor the Laws of *England*, but according to the good pleasure of the Conqueror: And if you will take the Opinion of Sir *Edward Coke*, in his Annotations on the *Great Charter*, he tells you plainly, That at the making thereof, it did not extend to *Ireland*, or any of the King's *Foreign Dominions*; but after the making of *Poyning's Law*, which was in the 11th. Year of *H. 7*, (long after the *Great Charter*) it did extend to *Ireland*.

I have only one Instance more, and that is, The usage of Foreign Nations in their Plantations and Settlements abroad.

The Governments of the *United Provinces*, and *Denmark*, are well known in *Europe*; and yet in all their Plantations, their Governments are despotical and absolute, all the power is in the hands of a Governour and Council, and every thing is ordered and appointed by them, as is sufficiently manifest to those that are acquainted with *Batavia*, *Surrinam*, *Curasao*, *New York*, (when formerly in their hands) and the *Island of St. Thomas*.

By which it is evident, That those Kingdoms and Principalities which are of the Dominion of the Crown of *England*, are subject to such Laws, Ordinances, and Methods of Government, as the Crown shall think fit to Establish.

The next thing then to be proved is, That *New England*, and all the *English Colonies*, are subject to the Dominion of the Crown of *England*, as *Wales* and *Ireland* are, and not to the Empire of the King of *England*, as *Scotland* is.

'Tis a fundamental point, consented unto by all Christian Nations, that the first Discovery of a Countrey inhabited by Infidels, gives a Right and Dominion of that Countrey to the Prince, in whose Service and Employment the Discoverers

coverers was sent: Thus the *Spaniard* claims the *West-Indies*; the *Portugals* *Brasile*: and thus the *English* these Northern parts of *America*. For, *Sebastian Cabot*, imployed by King *Henry 7.* was the first Discoverer of these Parts, and in his Name took Possession, which his Royal Successors have held and continued ever since; therefore *they are of the Dominion of the Crown of England*; and as such they are accounted by that excellent Lawyer Sir *John Vaughan* in his reports [*Vauh. Rep. Craw versus Ramsfy.*] which being granted, the Conclusion must necessarily be good, and it will follow; *That Englishmen permitted to be Transported into the Plantations* (for thither without the Kings Licence we cannot come) *can pretend to no other Liberties, Privileges, or Immunities there, than anciently the Subjects of England, who removed themselves into Ireland could have done*: For it is from the Grace and Favour of the *Crown* alone that all these Flow, and are dispenced at the pleasure of him that sits upon the Throne; which is plain in the great Charter it self; where, after the Liberties therein granted by the King, it concludes thus—*Tenendas & habendas de Nobis & hereditibus Nostris in perpetuum.* To have and to hold of Us, and Our Heirs for ever; which by the Learned Sir *Edward Coke* is thus explained: *These words* (saith he) *are not inserted to make a Legal Tenure of the King, but to intimate that all Liberties were at first derived from the Crown* [*Instit. page 2. fol. 4.*] *Barbados, Jamaica, the Leeward Islands, and Virginia* have their Assemblies: but it is not *sui juris*, 'tis from the grace and favour of the *Crown*, signified by *Letters Patents under the Broad Seal*. But the Laws made by these Assemblies with the consent of the Governour, are no longer in force than till the King is pleased to signifyè his Disapprobation of them, which power he hath always reserved to himself, and can, whenever he thinks fit, Repeal and Annul all such as have not been before confirmed by him, or some of his Predecessors.

New

New England had a *Charter*, but no one will be so stupid to imagine that the King was bound to grant it them, neither can you, without impeaching the prudent Conduct and Discretion of your Fore-Fathers, so much as think, they would put themselves to so vast an Expence and unnecessary Trouble to obtain that, which as *English* Men, they thought themselves to have a sufficient Right to before: They owe it only to the Grace and Favour of their Sovereign; and if they had made better use of it, to promote the Ends for which it was granted, the weight of those Afflictions under which the People of this Country now groans, would not have lain so heavy upon them, at least they would have less deserved them.

Besides, the *Parliament of England* have never by any Act of theirs favoured the Plantations, or declared or enlarged their Privileges; but have all along demonstrated, that they were much differenced from *England*, and not to have those Privileges and Liberties which *England* enjoyed, being in all Acts relating to the Plantations, restrained and burthened beyond any in *England*, as appears by the several Acts made for the increasing of Navigation, and for regulating and securing the Plantation Trade.

I think I have both by good Authority, Practice and Precedent made it plain, That the Plantations are of the Dominion of the *Crown of England*, and without any regard to *Magna Charta*, may be rul'd and govern'd by such ways and methods as the Person who wears that Crown, for the good and advancement of those Settlements, shall think most proper and convenient: therefore neither the Commission to the *President*, nor that to Sir *Edmond Andros*, can be said to be Illegal.

Since then such an one might lawfully be granted, you have great reason to commend the Moderation of the Gentleman who was intrusted with it, and to return Thanks to
 Almighty

Almighty God, for placing over you a Person indued with that Prudence and Integrity, that he was so far from exceeding his Commission, that he never put in execution the powers therein granted him. Have there been any Taxes laid upon the People, but such as were settled fifty years since, and made perpetual by Laws of their own making? Any part whereof might be retained, and in force, after the condemnation of their Charter, that the King thought fit. Who hath been transferr'd out of this Territory? Or were ever fewer Rates paid than under him?

And whereas it is also alleged in the Declaration, That there were courses taken to *damp* and *spoil* their *Trade*, while neither the Honour nor Treasure of the King were advanced: Give me leave to tell you, the same is altogether false, and mistaken, for the very considerable increase of Their Majesties *Revenue* arising by Customs (not at all altered under Sir *Edmond's* government) doth sufficiently demonstrate that the regular and lawful Trade of this Territory was exceedingly improved under him: 'Tis true, the Acts for Regulating the Plantation-Trade, and Navigation (little regarded under the Massathufets Government, to the great prejudice of the Revenues of the Crown, and detriment of its European Subjects) were carefully enforced, and their constant and profitable correspondence with Foreigners and Pyrats diligently obstructed, (which was very disagreeable to many Persons who had even grown old in that way of Trade, and was I believe one chief cause of the Revolution, which seems evident by their falling again upon the same measures since that change.) By this is meant *Courses taken to damp and spoil their Trade*, for which I hope the Government will not lie under any imputations in the Judgment of considering Men.

I shall say little concerning the King's Treasure; for it is clear to all that know this Country, that under the late Government,

ernment, there was never so few Taxes paid, nor until the *Indian Rebellion*, a fuller Treasury since the settlement of these parts; and 'tis plain, That the alteration of the Massachusetts Government, and annexation of the rest of those petty Colonys did highly conduce to the King's Honour, and the good and welfare of his Subjects; for all that Country which was every day subject to the Incurfions of the *French*, was no sooner taken into the King's hands, and united, but they became formidable: And all endeavors to make them demolish the Fort of *Oncagra*, (which they had Built and Garrifoned some hundreds of Miles within the *English Dominions*, in the Year 1687) proved unsuccessful, until the Union of the said Colonys, under the Commission so much complained of: And I do heartily wish, that the Divisions now among you, do not encourage them to take the advantage of this opportunity, and by an utter destruction of all this *Continent*, experimentally make good my Assertion.

And 'tis as plain that the King's Subjects, which for many years had groaned under the severity of a Tyrannical and Arbitrary Constitution, deprived of the Laws and Liberties of *English-men*, forced in their Consciences, suffered death for Religion, and denied *Appeals* to the King, were eased of those intollerable Burthens, and allowed the free Exercise of their Religion, and the benefit of the Laws of *England*, which were duly and truly administered unto them, by which the Honour of the King is advanced to the highest pitch.

4. 'Twill be but time lost to say any thing of the Red-coats; for no body can be so void of Sense and Reason to think that so many Thousand Men, which at this day inhabit this Colony, could be imposed upon by 100 Red-coats; and if any body hath been so vain as to threaten them with more, I look upon it an effect of passion or folly; For Experience, which

which certainly is the most convincing Argument in the World, tells you there is no such thing.

5. What is meant by Preferments, and who are called Strangers and Haters of the People, I must confess I cannot easily comprehend, unless to inhabit fourteen or fifteen Years within the Territory will make a Man such. Is there any one Gentleman of the Council, that hath either been displaced, or put into that Station by the Authority there? Which of your Judges are Strangers? Were not Three of them brought up amongst you; and of your own Communion? And was not the other in the same Employment in some part of this Territory, at the time of the Annexation? From whom had the Secretary and Collector his Commission? Certainly from no body here. Did the alteration of the Government change your Treasurer? Is it not the same Sir *Edmond* found here? Is he not a Man of Estate, good Credit and Reputation, and one of your own Countrymen? Were not all Officers in the Government, as well Magisterial as Ministerial, natural born *Englishmen*, and Subjects to the Crown of *England*? How then are Strangers and Haters of the People prefer'd, when there is not one that can reasonably and justly be so termed, in any place of Trust or Office throughout the Dominion.

6. Who are meant by abject Persons from *New York* wants an Explanation, for none of the Gentlemen that came from thence, (now in any Authority) but are well known to have liv'd there for a long time, in Esteem and Reputation, enough to merit a better *Epithite* of all good and honest Men; and I believe it will one day appear, that their Faithful discharge of their Duties, their constancy and steadiness to *the Church and Laws of England*, and unshaken Loyalty and Fidelity to the Crown, was their greatest Crime.

I am not well acquainted what Fees were taken, but this I know, that a Committee of the Council were appointed to
make

make a settlement of Fees for all Officers throughout the Government, which was effected, approved of, and sent to *England*; and if any one have exceeded those Limits, they deserve to be called to account, but it ought to be in a due course of Law. For the personal miscarriages of a Ministerial Officer, are no sufficient Warrant for an Infurrection; neither ought the whole Government to be Subverted, because *Tom* or *Harry* are ill Men. The Authority can but provide good and wholesome Laws for the punishment of Evil doers, and cause those Laws to be put in execution against Offenders: But if any one doth me a personal wrong, for which I have a Remedy by Law, and I will not take it, I ought not to quarrel with the Government, for 'tis my own Fault, and I might have redress if I would. Personal Crimes must be censured Personally; and a Government ought no more to be scandalized and aspersed, because an Extortioner is in it, than because there is a *Felon* or a *Traitor*.

7. I need not tell you that the Statute Laws of *England* are Printed at large, and that many Abridgments of them are so likewise, and easie enough to be produced; neither can it be but very well known, that all the Acts of the Governour and Council were solemnly published with Sound of Trumpet, as soon as made, and Authentick Copies afterwards transmitted to the Clerks of each respective County throughout the Territory; Why then it should be said, that it was impossible to know the Laws? I see no reason, unless by it is meant the *Common Law*; and if so, you may as well quarrel because every common Person doth not understand *Euclid* or *Aristotle*; for the knowledge of the Law, cannot be attained without great Industry, Study, and Experience; and every Capacity is not fitted for such an Undertaking; *Ex quo vis Ligno non fit* Mercurius. If this was a Grievance, What a miserable condition are they in now, that instead
of

of not knowing the Law, there is no Law for them to know ?

8. What rash, or indiscreet, Expressions may fall from any single Person of the Council, either in his private or politick Capacity, I will not undertake to justify; all Men are not endued with qualifications alike; every one in that Station ought to give his Opinion, as he himself understands the Matter; and if any one have unadvisedly uttered Words so disagreeable, I know no Body injur'd by it, neither can the Government be justly censur'd for it.

9. That the Privileges of *Magna Charta*, and other Liberties of *English-men* were denied them, is a thing which can never be made appear; however, admitting it, I have sufficiently discuss'd that Point in the Third Article. By the Persons said to be severely Fined, for peaceably objecting against raising of Taxes without an Assembly, I conjecture are meant the *Ipswich-men*, who were so far from a peaceable objecting, that they assembled themselves in a *riotous manner*, and by an Instrument conceived in Writing, did *Associate* and oblige themselves to stand by each other in opposition to the Government; and by their Example, influenced their Neighbours to do the like. And this by the Law is esteemed an Offence of that Nature, that it is next door to *Rebellion*; for which they were Indicted, Tryed, and Convicted, either by *Verdict* or their own *Confession*.

10. I cannot justify that Sheriffs, who doth either pick or pack a Jury; 'tis both repugnant to the Law and his Oath; and he deserves no favour, that can be Guilty of such a Crime; but let him first be known, and the thing proved; for I do not remember any one that hath been Convicted, nor so much as accused for such an Offence.

Judgments upon *Demurers* and Defaults, are so practicable and warrantable, by the Law, that nothing can excuse the enumerating them amongst the Grievances in the *Declaration*,

tion, but the Pen-man's want of Knowledge in that Profession. 'Tis a Maxime, *Volenti non fit injuria*; and when both Plaintiff and Defendant do, by a joynt consent, submit to the determination of the Court, or by their own negligence make default; Who hath the wrong? Where is the Injury? This hath been a practice so frequently used in your *former Government* (though under another Name) that no body can be ignorant of it.

11. That any one hath been Imprisoned, without being charged with Crime or Misdemeanor, is an Allegation which I dare be bold to say can never be proved; I have heard indeed an *Habeas Corpus* demanded upon the Statute of the 31. C. 2. was denied in Major *Appleton's* Case, (who was one of the *Ipswich*-men before-mentioned;) but let any considering Man peruse the Act, and I believe he will be easily convinced, that it is particularly limited to the Kingdom of *England*; besides, he was committed only because he would not find Sureties for the good Behaviour, and the question was not whether he should be Bailed; for upon finding the said Sureties, he must have been discharged of course; so that it was not the want of an *Habeas Corpus* detain'd him in Prison, but his own wilful and obstinate Humour; if they do but consider well how many Gentlemen lie now in stinking Goals, and close Prisons, without either *Mittimus* or *Crime* laid to their charge, and without the allowance of an *Habeas Corpus*, although demanded; I am sure they cannot but blush, when they read that part of the Declaration.

12. That Jurymen were fined and imprisoned for refusing to lay their hands to the Book, I presume is a mistake; probably they may have been fined for their contempt, and sent to Prison for not paying that Fine, which by the Law may be Justified: for every Court may fine any man for a contempt in open Court, and they themselves are Judges of the Contempt.

Whether

Whether it be a forcing of Conscience or not, I shall leave to Casuists; but I am very well satisfied, *it is not comprehended within the late Indulgence*: Yet admit it were, the Judges are sworn to do their Duties in their Offices, according to the Laws of the Land: *Prescription is a good and sufficient Law*, the form of laying the Hand upon the Book hath been the only *modus* of Swearing time out of mind; therefore the laying the Hand on the Book in Swearing, is a good Law, and the Judges cannot dispence with it, *Salvo Sacramento*; if they did, a Judgment in such a case would be erroneous and reverfible, and *'tis dangerous to admit of Innovations*.

The Common Law of *New England* is brought in, to Warrant the lifting up the Hand; but I take that to be *rara Avis in Terris*; for I challenge the whole Territory to produce one *Precedent* of such a *resolved* case; but perhaps by it, Prescription is intended; if it be, that will as illy serve the turn as th'other; for the Colony hath not been long enough settled, to claim any advantage by that Right; neither if it had, would it be admitted without apparent violation of their *Charter*, being absolutely repugnant to the Laws of *England*.

13. Fully to discuss the question concerning the Titles of their Lands, would be a Subject too Copious for the present Design, therefore I shall only glance at it as I pass by, being resolved, when time shall serve, to declare my Opinion more amply on that Subject; in the mean time, let every considering Man Examine well the *Charter*, which is the very *basis* of all their Rights, (unless they will set up a Power above the Kings,) and then let him tell me, in whom the *Fee simple* of that Tract of Land, betwixt *Charles's River* and *Merrymack* remains: if in the *Grantees* or their *Heirs*, How do they derive their Titles from them? If in the *Governour and Company of the Massachusetts Bay*, they must inquire whether pursuant to the Directions and Powers to them granted,

granted, it is by good and sufficient Conveyances in the Law, derived unto them. If they find it so, they must not be disturbed with Fears and Jealousies, for nothing can hurt them; if not, they are infinitely obliged to those Persons who have made them sensible of their Weaknesses, in a time, when by His Majesties *Letter Patents*, the *Governour* was impowered to supply all such Defects, and not upon Terms, either excessive or unreasonable, but upon such as were both easy and moderate, which will plainly appear to any Man who will but give himself the trouble to peruse the Table of Fees, settled and allowed by the Council; yet still every Man was at his own Liberty, to take a *Patent of Confirmation*, or to let it alone, as is apparent enough by the many Petitions now lying in the Secretary's Office, which, altho' his Excellency was always ready (so far as in him lay) to Grant, yet the more necessitous Affairs of the Government, which both he, and all about him, ever prefer'd to their private advantage, took up so much of his time, that not above twenty ever passed the Seal; and I am very well assured, that not one Example can be produced, that the least compulsion was ever used in this case, to any Man living, within this Dominion.

If the Governour did say, there was no such thing amongst you as a Town, what can be inferred from thence? 'Tis not to be presum'd, but his Discourse tended only to a Body Corporate and Publick: For you generally call that a Town in *America*, where a number of People have Seated themselves together, yet 'tis very well known, 'tis so in *Name* only, not in *Fact*: I take that Body of People to be a Town, properly so called, who by some Act of Law, have been *Incorporated*, and in that sense there is no such thing as a Town in the *Massathusets*, neither was there a Power to make such before his Excellency's Arrival, for *One Corporation cannot make another*. [The Case of *Suttons Hospital. Co. Rep.*]

14. That

14. That *Writs of Intrusion* were iffued out, is doubtlefs true, and the Government would have juftly merited a fevere cenfure, if all waies fhould have been free and open, for the Subject to attain his right, and none left for the King. They would think themfelves highly injur'd to be refused a *Capias* or any other common Writ; and I'm fure the other is as peremptory an one in the King's Cafe; and had the Penman been never fo little acquainted with the *Natura brevium*, or the *Register*, he would have been afham'd to have fluffed up the Declaration with fuch Matter, which can be of no other fervice, than to amufe and deceive ignorant People. Have there been more than feven Writs of this kind iffued out, during Sir *Edmonds* Adminiftration? Or more than two Profecuted? And were any of them againft either *Poor* or Ignorant Perfons, that had neither Purfes nor Brains to defend themfelves. Hath it not been againft fuch, as both for their Eftates and Capacities, are fufficiently known to be eminent? And the bufinefs of *Deer-Ifland* was brought on for no other intent, then that right might be done to the King here, and that the Party, if agrieved, might in a regular way have brought it to the Council-Board in *England* for their Determination: And I think, if this matter were rightly underftood, it would be of excellent fervice to the Country, for fuch a Judgment would fufficiently inftroct them what they have to truft to.

15. That their Commons might be begg'd, is not very ftrange; but that the Governour muft be Criminal becaufe fuch a thing is asked of him, is a barbarous inference: To whom have they been granted? Or for which of his *Creatures* have they been *meafured out*? I fhould be glad to fee that Man who would bare-fac'd instance one particular grant of any Man's Right or Poffeffion paffed by Sir *Edmond*, during his Government. 'Tis true, that at the request of Lieutenant Coll. *Lidget*, (a Gentleman who hath long lived
among

among you in Reputation, equal to the best, whose Fortunes were not so narrow, that he needed a dependance upon any one, and by a plentiful Estate, which he possessed in *Charles-Town*, had a right to a proportionable share or dividend in all the vacant and unappropriated Lands belonging to the said Town,) the Governour and Council did grant him a piece of the said vacant Lands, (which the Pen-man corruptly calls Commons) contiguous to a very considerable Farm, which he was there owner of, which I presume they might very lawfully do; for it can never be made appear, That the People of *Charles-Town*, either in Law or Equity, had a Right or Title to the said Land, without a Grant from the Governour and Company of the *Massachusetts Bay*, exempted under the Seal of the Corporation, pursuant to the Rules and Directions of their Charter, they can have no Legal Claime; and I am sure, such can never be produced, and I think they have as slender a pretence to an equitable one, when the Land hath always lain waft and undivided, to the profit and advantage of the Claimer, without any manner of charge or expence.

Besides, it cannot be consistent with the Interest of new Plantations, that two or three Hund. Thousand Acres of Land should be taken up by a small number of People, who are not capable of improving one tenth part of it, and the rest lie vacant under the notion of Commons, when Persons of Ability, equally concerned, would improve it, but cannot, because they are less numerous than the poorer sort of the Town, whose advantage it is that the Lands should so lie, and who manage their Affairs by majority of Voices. And if the Tract of Land which *Charlestowne* pretends to, were proportionally divided, Coll. *Lidgett's* share (they themselves being Judges) would have exceeded the Grant.

'Tis likewise true, that *Clark's Island* was granted to Mr. *Clark of Plymouth*, which might very well be, for it was
never

never included within the *Plymouth* Patent, and so resolved by the Council in that case, and therefore grantable at the King's Pleasure. And this is all I know of which can be objected.

It may be true, that some Persons who have contemptuously and riotously obstructed the Surveyor-General, in the doing of his Office, and pluck'd up, and removed the Stakes and Landmarks set up by him, upon vacant and unappropriated Lands, have been upon Legal Tryal and Conviction moderately Fined for their Offence, but see no reason that should be accounted a Crime in any, or that such Actions should escape unpunished.

16. I am likewise in the dark, to find out how the forcing of the People at the East-ward to take Patents (although I know of no such thing done) gave a rise to the late unhappy Invasion by the *Indians*, unless by that means the *Indians* were deprived of those quit-rents and acknowledgments, which by a base and dishonourable agreement, made by Commissioners appointed from *Boston*, the People of those parts, some time since, were obliged to pay them, as their *Lords and Masters*.

17. I am totally ignorant what is meant by *Blank Patents*, for 'tis the first time I ever heard of such a thing, neither indeed can it be; for he that takes a Patent for his Land, doth it in such a form as best pleaseth himself, or as he shall be advised to by his Council; And how any Man living can so far know my mind to prepare such an *Instrument* for me, I leave the world to judge.

18. That any of the Council were ever denied admittance to that Board, is a thing so apparently false, that I'm sure not a Man amongst them but must justify the Governour in that point; who was always so far from such a Method, that although there was a certain day appointed for their meeting every Week, *well known to them all*; yet it was a frequent thing

thing for him to fend on purpose to *Salem*, and other Neighbouring Parts, for the Gentlemen that lived there; and I have seen the Messengers Account, wherein he chargeth a considerable Summ of Mony for Horse-hire on those Errands. 'Tis very well known, his Excellency hath waited many Hours for several of the Gentlemen that live in Town, and would never Sit until they came; and as he hath never done, nor ordered the least matter relating to the Government, without their *advise and consent*; so he never did it without a sufficient number to make a *Quorum*, which was Seven.

19. There was never any other Course taken, to hinder Mr. *Mather's* Voyage to *England*, than what the Law allows; neither can the Government, without a great deal of Injustice, be charged with any thing relating to that Matter, for *none in place knew his Errand*.

There was a particular difference between Mr. *Randolph* and him; and I never heard of any other Course, taken by Mr. *Randolph*, than the ordinary Writ in such Cafes usual; which was so far from retarding his Voyage, that *an Attorney's* entering a common *Appearance*, in that Case, would have been sufficient to have discharged him, if the Writ had been served.

20. Suppose the King promised Mr. *Mather*, a certain *Magna Charta*, for Redrefs of (*imaginary*) Grievances; and that his Excellency should be wrote unto to forbear the Measures he was upon; yet no such thing being done, he was obliged to the Observance of His Majesty's Commands, before signified to him in his *Letters Patents*; which was a sufficient Warrant to him, until he should receive some thing subsequent to contradict it.

21. That your Churches and Ministers have been discouraged, is so general an Head, and the rest of the Declaration so particular, that it gives me cause to suspect the truth
of

of it; and I shall hardly alter my Opinion, until any one of you be instanced, who kept himself within his Province, and only medled with that which belong'd to him.

'Tis the *Church of England* that hath most reason to complain, only you cry *Whore first*: For at Sir *Edmond's* Arrival, they were the only People destitute of a Place to Worship in, until, by Advice and Consent of the Council, the New Meeting Houfe, in *Boston*, was borrowed, and made use of by them, but at inconvenient Hours; in the Morning after Eleven, and sometimes as their Service was prolong'd at Twelve; and after Four in the Afternoon, which with patience was endured, tho' the Enmity of that People, to the Church of *England*, was such, that they grudged them that small Accomodation, and shewed their uneasiness therein; which was soon removed, by the Governour's encouraging a Church to be built, and compleated in *Boston*, at the Charge of those of that Communion, where the Publick Worship, and Service of God hath been attended, until the late Infurrection, when the Minister was forced to leave the Countrey, and Church, for his own safety; And has not the Minister been before this publicly affronted, and hindred from doing of his Duty? What scandalous Pamphlets have been Printed to villifie the Liturgy? And are not all of that Communion daily called *Papist Doggs, and Rogues*, to their Faces? How often has the plucking down the Church been threatned? One while, it was to be converted to a School, and anon, 'twas to be given to the *French Protestants*. And whofo will but take the Pains to survey the Glafs Windows, will easily discover the Marks of a Malice not common; I believe 'tis the first National Church, that ever lay under such great Disadvantages, in a Place, where those that dissent from her, ought to expect all things from her Grace and Favour.

22. Should I undertake to recount all the particulars of the

the late *Indian Rebellion*, this would swell to a bulk bigger than ever I designed it; I shall only tell you, you must look at home; for the reasons of those troubles, which is well known, began when his Excellency was above Five Hundred Miles off at *New-York*, and that the Folly and Rashness of the People, drew it on their own Heads. The Governours Conduct in that Affair has been so prudent and discreet, that I have no reason to doubt but your Council of Safety, &c. Into whose hands, all the Papers relating to that business did fall, are very well satisfied with it: Was not the whole Country so secured, that not the least Damage, or Spoil was done to the Plantations and Fishery, during the Forces being abroad? And were not the *Indian Enemies* by the said Forces, hard Marches, and Pursuits, sometimes above One Hundred Miles into the Desert, beyond any Christian Settlement, reduced to the Extreamest Wants and Necessities? And all things brought to that pass, that if our unhappy Domestick Troubles had not intervened, the War before this time would have been advantageously Finished, without any Rates or Taxes, on the Country; for by his Excellencies good Husbandry, the standing Revenue would have defrayed the Charge: 'Tis true, you have lost some of your Friends and Relations in that Expedition; but could the *Governour* keep them a Live? Are not Diseases in Armies as Fatal to Men as the Sword? When Death comes, 'tis not to be avoided; and you see that all your Art and Care hath not been sufficient to Preserve your dearest Friends at Home, from the greater Mortality which hath run through this Country; Did any of them Dye neglected? Which of them wanted any thing to be had in those Parts? Did his Excellency lye upon Beds of Down, and fare Delishously every day? No, the same Meat, the same Drink, the same Lodging in their Quarters, and Marches very common to all; only he was generally the least

least taken care for: To what a degree of Madnefs and Impiety are we then grown, so *Falsly and Maliciously*, to Recriminate a Person, who for your Defence and Security, hath so generously expos'd himself to the *Hardships* of that Cold and Uncomfortable Clymate, and the Fatigues of War, against a Barbarous and Savage People? And certainly if God Almighty hath not *given over this People to believe Lies*, their Eyes must be by this time open, and they cannot but know, how much they have been put upon, Shamm'd and Abus'd. Who are *Popish Commanders* in the Army? Will any Man Bare-fac'd Aver so great an untruth? It must be Confessed, there was one and no more, under that Circumstance, who had the Command of a Company of the King's standing Forces, and was not Commiſſioned for the Army; besides, if he had, hath he not Lived long amongst us? Did any one ever question his Ability, Courage, Fidelity and Conduct, and ought not that Liberty of Conscience, which has been so hotly Preached up, even to the Encouragement of immoral Acts amongst you, be equally beneficial to him with other Men? Especially when the Gentlemen in the Country, were so far from offering their Service in the Expedition, that some of the most Eminent amongst them, have absolutely refused the Service; and they have been told, the Governours proposal to the Council, about his going to the *Eastward*, met with no Opposition, lest some of the Military Men there, should have been bound in Honour to have taken that Imployment upon themselves.

23. That some of the *English Plantations* in the *West-Indies*, which were Contiguous to the *French*, should be Alarm'd, is no wonder, for they were ever Jealous of their Neighbourhood, and alwaies stood upon their Guard; but that you should be afraid of being delivered up to the *French*, when there is neither War betwixt the two *Crowns*, nor any
Frenchmen

Frenchmen that we can yet hear of, to receive you, is one of the most unaccountable things in the World. From what parts must they come? From *Canada* you know they can not; they want both Men and Ships, and have reason enough to look to themselves; *France* have their Hands full at home; and 'tis well known they cannot spare any from the *West-Indies*; they made their outmost Effort against *Estalia*; and by the best Intelligence I can get, in that Service or War, there was not one *Frigat*; *Must they then drop out of the Clouds, or do you expect a Fleet from Utopia?* Certainly, this must needs convince any considering Man, that these poor People have been extremely abus'd, and they must be Stupid and Senseless, who think that Sir *Edmond Andros*, and Ten or Twelve Men more; (for that is all the Number said to be concerned in this wonderful Plot;) Could they be guilty of so horrid a Wickedness and Impiety? Were able to deliver so many Thousand Men, well appointed, into the Hands of a few *French-men*, who *from God knows whence*, were to come, *The Lord knows when*.

24. That it was either their Duty to God, or that they had the Nobility, Gentry, and Commons of *England*, for their Prefident, I cannot by any means allow; and I am amaz'd to see *Christians* call that a *Duty*, which God has so remarkably shewed his Displeasure against, in all Countries, and Ages; Is not *Rebellion, as the Sin of Witchcraft?* Numb. 11. 12. 16. Who was it that sent *the Leprosie amongst the Children of Israel, for their murmuring?* Pfal. 78. Or, how came *the sudden Fire, with which they were burnt up?* How many *Thousands perished by the Pestilence?* Or, were they a few that were *stung to Death by the Fiery Serpents?* Do we not read, that *the Earth opened, and swallowed up some of their Captains, with their Wives and Children quick?* which horrible Destruction fell upon the Children of *Israel*, for their *murmuring* against *Moses*, whom God had appointed their

their head, and chief Majeftrate ; What fhall I fay of *Abfalom*? What of a *Achitophel*? Or what of *Sheba*? Holy Writ is fo full of Examples, of the like Nature, that no Body can efteem that a Duty, which is fo often testified againft: And as it is far from being their Duty to God, fo there is no Parallel between the Proceedings of the *Lords Spiritual and Temporal* in England, and theirs here; for the Defign of Eftablifhing Popery and Arbitrary Government, in this Colony, is altogether Ridiculous and Incredible; for, who was to have effected it? Could thofe few of *the Church of England*, that with the hazard of their Lives and Fortunes, fo lately oppofed it in *Europe*; and that in all Ages have been the only Bulwark againft it? Or were the *Presbyterians, Independants, or Anabaptifts*, to have brought this about? It muft have been one of thofe, for I dare be bold to fay, there are not Two Roman Catholicks betwixt this and *New-York*.

I have fufficiently demonftrated, in the third Article, the little Right we have to any other Government in the Plantations; and that we cannot juftly call that Arbitrary, which by the Law we are obliged to fubmit to: So that betwixt their Condition and ours, there can be no Parity.

As their Reafons and yours were different, fo are the Meafures which have been taken; for his late Highnefs *the Prince of Orange*, having well-weighed and confidered the tottering Condition of the *Proteftant Religion* all over *Europe*, thought it was high time for him to take up Arms, as well for his own Prefervation, as that of his Neighbours and Allies. We do not find, that notwithstanding the Danger that hung over their heads, the People of *England* took up Arms to right themfelves; but inftead thereof, they became humble Suppliants to his *Highnefs* for his Favour and Protection, which he was pleafed to grant them: Neither do we find, that the *Lords Spiritual and Temporal*,
affumed

affumed any Authority, for which they had no colour of Law: As they are *Peers*, they are invested with the highest Authority, and are the grand Conservators of the Peace of the Nation; they never left their Duty and Allegiance to his late MAJESTY, until he first left the Kingdom; and all Things were transacted in his Name, and by his Authority, until the very minute *the Prince* was proclaimed; who came not by force to Conquer and Subject the Nation to a foreign Power, nor to Subvert and Destroy the lawful Government, but to Maintain and Support the same, in a peaceable manner, by a *Free Parliament*: *The Prince*, nor *Peers*, never abrogated nor altered any of the lawful Powers of the Nation, but strengthned and confirmed all that were capable of bearing Office, by which there was always a due Administration of Justice. *The Sword* was never said to *Rule and Sway*; and by consequence that Confusion and Disorder avoided, which their Illegal and *Arbitrary Proceedings* have precipitated us into.

As to the fanciful Stories of *Macquas*, *Subterranean Vaults*, *Fire-Works*, *French Frigats*, *poisoning the Soldiers to the Eastward*, &c. they are so *apparently false*, and *strangely ridiculous*, that by this time, no Man in his Wits can believe them; and I need no Argument to confute the Credit of those monstrous Follies, since Time and Experience have sufficiently demonstrated them to be meer *Lyes and Inventions*.

And now I hope all sober thinking Men are convinced, That the before-alledged Reasons, are in themselves either absolutely false, or of little moment; and consequently *no sufficient ground for taking up Arms*; all that remains on this head therefore, will be to shew,

First, That if all the Reasons had been true, yet it could not justify their Proceedings.

Secondly, If their Condition had been as bad, and their Grievances

Grievances really as great, as they were made believe, those measures could never mend the one, nor redress the other.

The most excellent *Grotius* hath so learnedly wrote upon the first of those, that I shall presume to use no other Argument than his own upon that head, which you may read in 4 *Cap. Lib. 1. De jure Belli & Pacis.*

Thirdly, These Measures could never better their Condition, nor redress their Grievances, unless they are so vain to imagine themselves capable of waging War with the *Crown of England*, and all its Allies. Is the King so inconsiderable a Prince, that he should be forced? Or can they think that the noise of their *Thousands and Ten Thousands*, will frighten him into a Compliance? Without doubt if they do, they will too late find themselves mistaken; and a woful Experience will quickly teach them, that the sole want of *their Majesties Protection*, will, in a very short time, reduce them to the most miserable and deplorable Condition in the World.

But, perhaps, they may fancy, that this Action of theirs, hath extremely obliged their Majesties, and that all things now are become justly due to the Merits of their Services: 'Twill do very well if it be so understood; but I cannot see the least probability of such a Construction, for they have sufficiently manifested in their *Declaration*; that *Self-Interest*, fondness of their former popular Government, and aversion to the Government establish'd from *England*, was the first and principal Motive to their Undertakings; and their Progress doth plainly demonstrate, that they have only made use of *their Majesties Names*, the better to effect their own Designs, whilst every thing that hath any relation to them lies *neglected and unregarded*, without any *Recognition* of their Authority over those Dominions, or the least acknowledgment of their submission to such Orders as should come from them, saving what particularly related to *some few*
ill

ill Men, (as they call them,) whom they have imprifoned and detained, without any Law or Reafon: So that they have rashly and imprudently adventured their *ALL* upon a Chance, (not an equal one,) Whether it will be well or ill taken: If well, they can expect nothing more, than what they would have had by fitting ftill and quiet, unlefs it be a vaft charge, trouble, and expence: which they have inevitably brought upon themfelves: If ill, What will be the event?

In the firft place, This Country, which hath fo much valued it felf, for the *true Profeflion and pure Exercise of the Proteftant Religion*, will be termed a Land full of *Hypocrifie, Rebellion, Irreligion, and what not?* and they themfelves a degenerate wicked People.

Secondly, In all their Pamphlets and Difcourfes, they have fo magnified their A^CTion, and boasted of the vaft Numbers they can bring into the Field, that it muft be of great import to the Crown of *England* to curb them, & in time to reduce them to their former Obedience; and no body will imagine it confiftant with the *Interelt* of the *Crown* any more to trust *Government*, in the hands of a People fo ready and fo able, upon all Occafions, to Revolt and fet up for themfelves; and the ftronger they are, the more need there will be to keep them under.

Thirdly, And laftly, They will really endure and undergo all thofe Miferies and Calamities which they fancied to themfelves under the late Government, and become the Scorn and By-word of all their Neighbours.

What then remains, but that they fhould endeavour to fettle themfelves in fuch a pofture, as may at leaft mitigate, if not wholly prevent the before-mentioned Inconveniencies? If their Charter be reftored, it can neither juftifie their paft A^Ctions, nor maintain their former Laws or Conftitution of Government; but render them liable to be questioned and *Quo Warranto'd* for their Malefefance, whensoever the Supreme

Supreme Authority shall think it meet. There is nothing therefore that can be safe or easie for them, and of greater Service and Benefit, than that they put themselves in a submissive and humble posture, fit and ready to receive their Majesties Commands; and not value themselves too much upon their own Merits, lest they become unworthy of their Majesties Grace and Favour; without which, (think what you will,) they can never be safe and secure from the Severity of the Laws, which they have indisputably violated, in Matters of the highest Nature and Consequence imaginable.

I hope every good Man will seriously consider the foregoing Discourse, and suffer himself to be guided by the Dictates of Reason, and not of Humor and Prejudice; and then I am well assured, it will be evident enough that they have mistaken their Measures, and that a due fence thereof, and a timely recess, will more advantage them, than an obstinate and wilful perseverance; and that nothing but such a Remedy can restore their almost-perishing and undone Country, to a lasting Peace and happy Settlement; for which, shall ever be the hearty Prayers of

Your humble Servant,

J. Palmer.



POSTSCRIPT.



Was principall induc'd to direct the precedent Discourse to you, Gentlemen, for two Reasons: First, Because I am well assured, you have had a great share in the late Revolution; and, secondly, Because I would be rightly understood, which I am sure I can never fail of, by Persons of your Learning and Worth; and I hope you will be so kind to me, and so just to your Country, to let me know, in the most publick manner you can, wherein I have mistaken the Matter, either in point of Fact or Judgment: But if I have been so fortunate to convince you, that wrong Measures have been taken, and that the People had no reason for what they have done, nor no Bottom for what they are yet doing, let me tell you, 'tis your Duty not to admonish them, but to reduce them to such a temper as becomes pious Men and good Christians, for which you will have the Praise, and God the Glory.

From the *Castle* the Twentieth
Day of *June*, 1689.

FINIS.



THE
REVOLUTION

IN
New England

JUSTIFIED,

And the People there Vindicated

From the Aspersions cast upon them

By Mr. *JOHN PALMER*,

In his Pretended Answer to the

Declaration,

Published by the Inhabitants of *Boston*, and the Country adjacent, on the day when they secured their late Oppressors, who acted by an Illegal and Arbitrary Commission from the Late King *JAMES*.

Printed for *Joseph Brunning* at *Boston*
in *New England*. 1691.





TO THE
R E A D E R .



T is not with any design or desire unnecessarily to expose the late Oppressors of that good Protestant People which is in New-England, that the Authors of the ensuing Vindication have published what is herewith emitted.¹⁷ But the Agents lately sent from thence could not be faithful to their Trust, if when the People whom they Represent are publicly (as well as privately) aspersed, they should not (either by themselves, or by furnishing some other with materials for such an undertaking) vindicate those who have been so deeply injured.

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¹⁷ This reply to PALMER'S pamphlet, as also the Narrative by several members of Andros's Council, was reprinted by Isaiah Thomas, in a small octavo pamphlet of fifty-nine pages. In this reprint, he reduced the orthography to the style of his own time; but in everything else the new edition was very accurate. It has, however, become quite rare of late years, and copies command a considerable price. We annex a copy of the title page: "The Revolution in New-England Justified, and the People there Vindicated from the Aspersions cast upon them by Mr. John Palmer, in his pretended Answer to the

Declaration published by the Inhabitants of Boston and the Country adjacent, on the Day when they secured their late Oppressors, who acted by an illegal and arbitrary Commission from the late King James. To which is added, a Narrative of the Proceedings of Sir Edmond Androsse and his Accomplices, who also acted by an illegal and arbitrary Commission from the late King James, during his Government in New-England. By several Gentlemen who were of his Council. Printed in the Year 1691. Boston: Re-printed and sold by Isaiah Thomas, near the Mill-Bridge. M,DCC,LX XIII."

As for Mr. Palmer his Account, which he calls Impartial, he has wrong'd New-England thereby, in some other particulars besides those insisted on, in the subsequent Apology. For he does endeavour to make the World believe that the Massachusetts refused to answer to the Quo-Warranto prosecuted against their Charter: Than which Misrepresentation nothing can be more untrue or injurious. An Account concerning that matter hath formerly (and more than once) been made publick, in the which it is most truly affirmed, "That when the Quo-Warranto was issued out against the Governour and Company of the Massachusetts Colony in New-England in the year 1683, the then King did by his Declaration enjoyn a few particular persons to make their Defence at their own Charge, without any publick Stock; which shewed that there was a Resolution to take away that Charter:"¹⁸ Yet the Governour

¹⁸ This passage is copied from a little four-page pamphlet, entitled, "Reasons for the Confirmation of the Charter Belonging to the Massachusetts Colony in New-England," which was the work of INCREASE MATHER, then in England. As we shall reprint it in our second volume, it will suffice to say that the citation above is exact, excepting in the clause in the text, "which shewed there was a Resolution to take away that Charter: [yet the Governour and Company appointed an Attorney to answer to the *quo warranto*.]" This part in brackets is not in Mather's account.

In regard to the claim that time was not given to make defence of the suit, a sufficient answer will be found in PALFREY's account of the matter. The Colony had ample notice, extending for months, that proceedings were to be taken against their Charter, and the instructions to the agents show that their only hope was in delaying, promising,

and evading. Whether, in reality, the last step was taken in undue haste on the part of the Crown, is a question hardly worth discussion. The fate of the Charter was already decided, and one or more legal forms must have been a mere trifle.

It will be seen that the first proceedings had been under a writ of *quo warranto*, returnable into the Court of King's Bench; but suddenly this was dropped, and a new suit commenced in the Court of Chancery. PALFREY, iii. 391-2, discusses this curious change, but does not seem to use this passage in the text as an authority. He varies the words of Lord North to the Colony's attorney, Robert Humphreys, probably following some other account.

PALFREY also quotes from Mass. Hist. Soc. Collections, 3d Series, i. 96, a passage from a "Brief Relation of the Plantation of New England," in which the new suit in Chancery is spoken of, in words almost the same as

“*ernour and Company appointed an Attorney to answer to the Quo Warranto; but the Suit was let fall in the Court of Kings-Bench, and a new Suit began by Scire facias in Court of Chancery, where time was not allowed to make Defence. The former Attorney for that Colony brought several Merchants to testifie that in the time allow’d (which was from April 16, till June 18) it was impossible to have a New Letter of Attorney returned from New-England. The then Lord Keeper North replied, That no time ought to be given. So was Judgment entred against them before they could possibly plead for themselves.*” *By this the Impartial Reader may judge what Ingenuity and Veracity is in Mr. Palmers Account.*

There is lately come forth another Scandalous Pamphlet,¹⁹ called New England’s Faction Discovered. The author has not put his Name to it: But it is supposed to be written by a certain person known to be a Prodigy for Impudence and Lying.

in the text. On referring to that volume, it seems that the editor was unaware that this pamphlet in manuscript was but an imperfect copy of a tract, printed in London in 1689, for Richard Baldwin, which we propose to reprint in the second volume of these collections.

It may be added that the same volume of the Historical Society’s Collections, which comprises the “Hutchinson Papers,” so called, has on p. 126-133, certain anonymous “Political Fables of New-England.” By a reference to Calef’s “More Wonders of the Invisible World,” (edited by S. G. DRAKE, Esq., in his Witchcraft Delusion, iii. 151,) it is evident that we have here a work by COTTON MATHER, in praise of his father, a fact hitherto overlooked. These short pieces will also appear in our second volume.

¹⁹The title of this scandalous pamphlet, as given in Henry Stevens’s “Nuggets,” p. 552, is: “New-England’s Faction Discovered: Or, a Brief and True Account of their Persecution of the Church of England; the Beginning and Progress of the War with the Indians, and other Late Proceedings there, in a Letter from a Gentleman of that Country, to a Person of Quality. Being an Answer to a most false and scandalous Pamphlet lately Published: Intituled News from New-England, &c. London, Printed for J. Hindmarsh, at the Sign of the Golden Bull, over against the Royal Exchange in Cornhill, 1690. 4to. 8 pp. Signed C. D.”

The author is not clearly pointed out by the character here given him, but RANDOLPH and PALMER were the chief writers on the side, and probably the former was meant.

Lying. The Reflections in it not only on New-England in general, but on particular persons there as well as in England, are so notoriously and maliciously false, as that it must needs be much beneath a great Mind to take notice of such Latrations, or to answer them any otherwise than with contempt. When we are treated with the Buffoonry and Railery of such ungentiel Pens, 'tis good to remember the old Saying, Magnum Contumeliæ remedium, Negligentia.

As for what Mr. Palmer does in his Preface insinuate concerning the New-Englanders being Common-wealths-men, Enemies to Monarchy, and to the Church of England, that's such a Sham as every one sees through it.

There are none in the World that do more fully concur with the Doctrine of the Church of England contained in the 39 Articles, than do the Churches in New-England, as is manifest from the Confession of their Faith published in the year 1680. Only as to Liturgy and Ceremonies they differ; for which cause alone it was that they, or their Fathers, transported themselves into that American Desert, as being desirous to worship God in that way which they thought was most according to the Scriptures. The Platform of Church Discipline consented unto by the Elders and Messengers of the Churches Assembled in a General Synod at Cambridge in New-England in the year 1647, sheweth that they are as to Church Government for the Congregational way. The judiciously Learned Mr. Philip Nye²⁰ has long since evinced, that no Form of Church-Government (no not that which is Episcopal) is more consistant with Monarchy, or with the King's Supremacy,

²⁰ Rev. Philip Nye was a distinguished non-conformist divine, and was born in Suffex, about 1596. He was educated at Oxford, and took orders; but becoming a dissenter, he fled to Holland in 1633. He returned to England, and

was one of the Assembly of Divines, being a great Presbyterian and asserter of the Solemn League and Covenant. He afterwards joined the Independents, but was ejected at the Restoration. He died in 1672.

Supremacy, than that of the Way-Congregational, which some will needs call Independent. But there are a sort of men, who call those that are for English Liberties, and that rejoyce in the Government of Their present Majesties, King William and Queen Mary, by the name of Republicans, and represent all such as Enemies of Monarchy and of the Church. It is not our single Opinion only, but we can speak it on the behalf of the generality of Their Majesties Subjects in New-England, that they believe (without any diminution to the Glory of our former Princes) the English Nation was never so happy in a King, or in a Queen, as at this day. And the God of Heaven, who has set them on the Throne of these Kingdoms, grant them long and prosperously to Reign.

*E. R.*²¹

S. S.

²¹ E. R. and S. S. undoubtedly stand for Edward Rawson and Samuel Sewall, as PALFREY, iii. 514, states. Rawson died 27th August, 1693, aged 78; Sewall,

afterwards the Chief-Justice, was at this time aged 38, but had been an Assistant in 1684, and was old enough to have so important a trust committed to him.





T H E

Revolution in *New-England* justified.



THE Doctrine of *Passive Obedience*²² and *Non-Resistance*, which a sort of men did of late, when they thought the World would never change, cry up as Divine Truth, is by means of the happy *Revolution* in these Nations, exploded, and the Assertors of it become ridiculous.

No man does really approve of the *Revolution* in *England*, but must justify that in *New-England* also; for the latter was effected in compliance with the former, neither was there any design among the *People in New-England* to reassume their Antient *Charter-Government*, until His present Majesties intended descent into *England*, to rescue the Nation from *Slavery* as well as *Popery*, was known to them (for indeed to have attempted it before that would have been madness.) They considered that the men then usurping Government in *New-England* were King *James's* Creatures, who

²² The inconsistencies of the doctrine of passive obedience are well shown by MACAULAY, vol. ii. chap. ix., in speaking of this very period. The remarks

in the text, however, are directed probably against PALMER's book, as in the first edition he has a long argument to prove the unlawfulness of rebellion.

who had invaded both the *Liberty and Property of English Protestants* after such a manner as perhaps the like was never known in any part of the World where the *English Nation* has any Government: and the *Commission* which they had obtained from the Late King *James* was more Illegal and Arbitrary, than that granted to *Dudley and Empson* by King *Henry 7th.*, or than it may be was ever before given to any by King *James* himself, or by any one that ever swayed the *English Scepter*, which was a Grievance intolerable; and yet they desired not to make themselves Judges in a case which so nearly concerned them, but instead of harsher treatment of those who had Tyrannized over them, they only secured them that they might not betray that Countrey into the hands of *the Late King*, or of King *Lewis*, which they had reason enough to believe (considering their Characters and Dispositions) they were inclined to do. They designed not to revenge themselves on their Enemies, which they could as easily have done as a thousand men are able to kill one, and therefore when they secured their Persons, they declared (as in their *Declaration* Printed at *Boston* in *New-England* is to be seen) that they would leave it to the King and Parliament of England, to inflict what punishment they should think meet for such Criminals. Their seizing and securing the Governour, was no more than was done in *England*, at *Hull, Dover, Plimouth, &c.* That such a man as Mr. *John Palmer* should exclaim against it, is not to be wondred at, seeing he was one of the Governours Tools, being of his Council, made a Judge by him, and too much concern'd in some Illegal and Arbitrary Proceedings: but his Confidence is wonderful, that he should publish in Print that neither himself nor Sir *Edmund Andross*, nor others of them who had been secured by the People in *New-England*, had any Crimes laid to their charge, whereas the foresaid Declaration emitted the very day they were

were secured, doth plainly set forth their Crimes. And in the Preface of his Book he hath these words: *viz.*

“ *We appeared at the Council-Board where the worst of our Enemies, even the very men who had so unjustly imprisoned and detained us, had nothing to say or object against us.*”—

By these Enemies he speaks of, we suppose he means those who were lately sent as *Agents* from *Boston* in *New-England*; He hath therefore necessitated us to inform the World, that the following Objections (though not by his Enemies, yet) by those *Agents* presented at the Council-Board.

“ *Matters objected against Sir Edmund Andross, Mr. Joseph Dudley, Mr. Palmer, Mr. Randolph, Mr. West, Mr. Graham, Mr. Farewell, Mr. Sherlock and others, as occasions of their Imprisonment in New-England.*”

1. **I**T is objected against Sir *Edmund Andross*, that he being Governour of the *Massachusetts* Colony, after notice of His present Majesties intention to land in *England*, issued out a Proclamation, requiring all persons to oppose any descent of such as might be authorized by him, endeavour'd to stifle the News of his Landing, and caused him that brought this Kings Declaration thither to be imprisoned, as bringing a Seditious and Treasonable Paper.

“ 2. That in the time of his Government, he without form or colour of legal Authority made laws destructive of the Liberty of the People, imposed and levied Taxes, threatened and imprisoned them that would not be assisting to the illegal Levys, denied that they had any Property in their Lands without Patents from him, and during the time of actual War with the *Indians*, he did supply them with Ammunition, and several *Indians* declared, that they were encouraged by him to make War upon the *English*, and he discountenanced making defence against the *Indians*.

“ 3. As

“ 3. As to all the other persons imprisoned, they were Accomplices and Confederates with Sir *Edmund Andross*, and particularly Mr. *Dudley*, Mr. *Randolph*, and Mr. *Palmer* were of his Council, and joined with him in his Arbitrary Laws and Impositions, and in threatening and in punishing them who would not comply. Mr. *West* was his Secretary, and guilty of great Extortion, and gave out words which shewed himself no Friend to the *English*. Mr. *Graham* was his Attorney at one time, and Mr. *Farewell* at another, both concerned in illegal proceedings destructive of the Property of the Subject. Mr. *Farewell* prosecuted them who refused to comply with the Illegal Levies, and Mr. *Graham* brought several Writs of Intrusion against men for their own Land, and Mr. *Sherlock*, another person imprisoned, though not named in the Order, acted there for some years as an High Sheriff, though he was a stranger in the Countrey, and had no Estate there, during his Shrievalty he impannelled Juries of Strangers, who had no Free-hold in that Countrey, and extorted unreasonable Fees.”

These particulars were not only presented at the *Council-Board*, but there read before the Right Honorable the Lords of the Committee for Foreign Plantations on *April* 17, 1690, when Sir *Edmund Andross*, Mr. *Palmer*, and the rest concerned were present, and owned that they had received Copies thereof from Mr. *Blaithwaite*. It is true, that the Paper then read was not signed by the Agents aforesaid, for which reason (as we understand, nor could it rationally be otherwise expected) the matter was dismissed without an hearing: Nevertheless the Gentlemen who appeared as Counsel for the *New-England* Agents, declared, That they were ready to prove every Article of the Objections: which shall now be done.

1. That Sir *E. A.*, with others whom the People in *New-England*

England seized, and secured did, *after notice of His present Majesties intended descent into England to deliver the Nation from Popery and Arbitrary Power, to their utmost oppose that glorious design*, is manifest by the *Proclamation*²³ Printed and Published in *New-England*, Jan. 10, 1688, signed by Sir *E. A.* and His Deputy Secretary *John West*, in which King *James's* Proclamation of *October 16, 1688*, is recited and referred unto. Sir *Edmunds* Proclamation begins thus; "Whereas His Majesty hath been graciously pleased by His
"Royal

²³ The Proclamation referred to has recently been discovered and published in the *Historical Magazine*, vol. x. p. 145. It is so important a document that it has seemed necessary to reprint it. The date is 10th January, 1688-9.

"By his Excellency. A Proclamation. Whereas His Majesty hath been graciously pleased, by His Royal Letter, bearing Date the sixteenth day of October last past, to signify That He hath received undoubted Advice that a great and sudden Invasion from *Holland*, with an armed Force of Forreigners and Strangers, will speedily be made in an hostile manner upon His Majesty's Kingdom of *ENGLAND*; and that altho' some *false* pretences relating to *Liberty, Property* and *Religion*, (contrived or worded with Art and Subtilty) may be given out, (as shall be thought useful upon such an Attempt;) It is manifest however, (considering the great Preparations that are making) That no less matter by this *Invasion* is proposed and purposed, than an absolute Conquest of his Majesty's Kingdoms, and the utter Subduing and Subjecting His Majesty and all His People to a Forreign Power (which is promoted (as his Majesty understands,) altho' it may seem almost incredible) by some of His Majesty's

Subjects, being persons of wicked and restless Spirits, implacable Malice, and desperate Designs, who having no fence of former intestine Distractions (the Memory and Misery whereof should endear and put a Value upon that Peace and Happiness which hath been long enjoyed,) nor being moved by His Majesty's reiterated Acts of Grace and Mercy, (wherein His Majesty hath studied and delighted to abound towards all His Subjects, and even towards *those* who were once His Majesty's avowed and open Enemies) do again endeavour to embroil His Majesty's Kingdom in Blood and Ruin, to gratifie their own Ambition and Malice, proposing to themselves a Prey and Booty in such a publick Confusion;

"And that although His Majesty had notice that such a forreign Force was preparing against Him, yet His Majesty hath alwaies declined any forreign Succor, but hath rather chosen (next under GOD) to rely upon the true and ancient Courage, Faith and Allegiance of His own People, with whom His Majesty hath often ventured His Life for the Honour of His Nation, and in whose Defense against all Enemies His Majesty is firmly resolved to live and dye; and therefore does solemnly *Conjure* His Subjects to lay aside all manner of Animofities, Jealousies and
Prejudices,

“ Royal Letter bearing date the 16th of *October* last past, to
 “ signify that He hath undoubted Advice that a great and
 “ sudden *Invasion from Holland*, with an armed Force of
 “ Foreigners and Strangers will be speedily made in an hostile
 “ manner upon His Majesty's Kingdom of *England*, and that
 “ although some false *Pretences relating to Liberty, Property,*
 “ *and Religion,*” &c. And then he concludes thus— “ All
 “ which it is His Majesty's pleasure should be made known in
 “ the most publick manner to His Loving Subjects within
 “ this

Prejudices, and heartily and cheerfully to Unite together in the Defence of His *MAJESTY* and their native Countrey, which thing alone will (under *GOD*) defeat and frustrate the principal Hope and Design of His Majesty's Enemies, who expect to find His People divided; and by publishing (perhaps) some plausible Reasons of their Coming, as the specious (tho' *false*) Pretences of Maintaining the Protestant Religion, or Asserting the Liberties and Properties of His Majesty's People, do hope thereby to conquer that great and renowned Kingdom.

“ That albeit the Design hath been carried on with all imaginable Secresie and Endeavours to surprize and deceive His *MAJESTY*, He hath not been wanting on His part to make such provision as did become Him, and by *GOD'S* great Blessing, His Majesty makes no doubt of being found in so good a Posture that His Enemies may have cause to repent such their rash and *unjust* Attempt. ALL WHICH, it is His Majesty's pleasure, should be made known in the most publick manner to His loving Subjects within this His Territory and Dominion of *NEW-ENGLAND*, that they may be the better prepared to resist any Attempts that may be made by His Majesties Enemies in these parts, and secured in

their trade and Commerce with His Majesty's Kingdom of *England*.

“ I DO therefore, in pursuance of His *MAJESTY'S* Commands, by these Presents *make known and Publish* the same accordingly: And hereby Charge and Command all Officers Civil and Military, and all other His Majesty's loving Subjects within this His Territory and Dominion aforesaid, to be *Vigilant and Careful* in their respective places and stations, and that, upon the Approach of any Fleet or Foreign Force, they be in Readiness, and use their utmost Endeavour to hinder any Landing or Invasion that may be intended to be made within the same.

“ Given at *Fort-Charles at Pemaquid*, the Tenth Day of *January*, in the Fourth year of the Reign of our Sovereign Lord *JAMES* the Second, of *England, Scotland, France and Ireland* KING, Defender of the Faith, &c. Anno: DOMINI 1688.

“ E. ANDROS.

“ By His EXCELLENCY'S Command,

“ *JOHN WEST.* D^r Secr.

“ *GOD SAVE THE KING.*

“ Printed at *Boston* in *New-England* by *R. P.*”

“ this His Territory and Dominion of *New-England*, that
 “ they may be the better prepared to *resist any Attempts* that
 “ may be made by His Majesties Enemies *in these parts*, I do
 “ therefore hereby charge and *command all Officers Civil and*
 “ *Military, and all other His Majesties Loving Subjects within*
 “ *this His Territory and Dominion* aforefaid, to be vigilant
 “ and careful in their respective places and stations, and *that*
 “ *upon the approach of any Fleet or Foreign Force, they be in*
 “ *readiness and use their utmost endeavours to hinder any*
 “ *Landing or Invasion* that may be intended to be made
 “ within the same.”

2. And that they used all imaginable endeavours to *stifle the News of the Prince's Landing in England*, appears not only from the Testimony of the People there, and from the Letters of those now in Government at *Boston*, but from the deposition of Mr. *John Winslow*,²⁴ who affirms that being in *Nevis* in *Feb.* 1688, a Ship arrived there from *England* with the *Prince of Orange's Declaration*, and intelligence of the happy change of Affairs in *England*, which he knew would be *welcome News in New-England*, and therefore was at the charge to procure a written Copy of that Princely Declaration with which he arrived at *Boston* about a fortnight before the *Revolution* there. He concealed the Declaration from Sir *Edmund*, because he believed if it came into his possession, he would keep the people in ignorance concerning it; but intimation being given that Mr. *Winslow* had brought with him the Declaration, he was therefore committed to Prison (though he offered two thousand pounds Bayl) for bringing into the Country a *Treasonable Paper*. For the satisfaction of such as are willing to be informed in this matter, Mr. *Winslow's* testimony as it was given upon Oath before

²⁴ John Winslow, according to SAV- AGE, was the son of John, of Boston, and grandson of John and Mary (Chilton)

Winslow, of Plymouth, brother of Gov. Edward W. His deposition is on file. Inter-Charter Papers, xxxv. 218.

before a Magistrate in *New-England* shall be here inserted. It is as follows.

“ JOHN WINSLOW, aged twenty-four years, or thereabouts, testifieth and faith, that he being in *Nevis*, some time in *February* last past, there came in a Ship from some part of *England* with the Prince of *Orange's* Declarations, and brought news also of his happy proceedings in *England* with his entrance there, which was very welcome News to me, and I knew it would be so to the rest of the people in *New-England*; and I being bound thither, and very willing to carry such good news with me, gave four shillings six pence for the said Declarations, on purpose to let the people in *New-England* understand what a speedy deliverance they might expect from Arbitrary Power. We arrived at *Boston* Harbour the fourth day of *April* following, and as soon as I came home to my house, Sir *Edmund Andross* understanding I brought the Prince's Declarations with me, sent the Sheriff to me; so I went along with him to the Governours house, and as soon as I came in, he asked me why I did not come and tell him the news. I told him I thought it not my duty, neither was it customary for any Passenger to go to the Governour when the Master of the Ship had been with him before, and told him the news; he asked me where the Declarations I brought with me were, I told him I could not tell, being afraid to let him have them, because he would not let the people know any news. He told me I was a Saucy fellow, and bid the Sheriff carry me away to the Justices of the Peace, and as we were going, I told the Sheriff, I would choose my Justice, he told me, no, I must go before Doctor *Bullivant*, one pickt on purpose (as I Judged) for the business; well I told him, I did not care who I went before, for I knew my cause good; so soon as I came in, two more of the Justices dropt in, *Charles Lidget* and *Francis Foxcroft*, such as the former, fit for the
“ purpose,

“*purpose*, so they asked me for my Papers, I told them I would not let them have them by reason they kept all the news from the people, so when they saw they could not get what I bought with my money, they sent me to prison for bringing *Traitorous and Treasonable Libels* and Papers of News, notwithstanding, I offered them security to the value of two thousand pounds.

Boston in New-England,
Feb. 4. 1689. sworn
before *Elisha Hutchinson* Assistant.²⁵

John Winslow.”

By these things it appears that it was absolutely necessary for the people in *New-England* to seize Sir *E. A.* and his Complices, that so they might secure that territory for their present Majesties King *William* and Queen *Mary*.

3. That Sir *E. A.*, &c. did *make Laws destructive to the liberty of the Subjects*, is notoriously known, for they made what Laws they pleased *without any consent of the People, either by themselves or representatives*, which is indeed to *destroy*

²⁵ The affidavits published in this Justification were undoubtedly correctly printed, although we have found but few of the originals remaining in the State Archives. They were selected from a mass of evidence collected by a Committee appointed by the following order. (Mafs. Arch. Inter-Charter Papers, xxxv. 107.)

“Ordered by y^e Representatives, That Mr. Thomas Broughton, Capt. Joseph Linds and Mr. Christopher Webb be of y^e Committee to Joyn with those that shall be chosen by our honoured magistrates to make Inquiries and receive in what Information they

can against the prisoners that are to be sent for England.

“EBENEZER PROUT, *Clerk*.

“5 Dec. 1689.

“Thomas Danforth, Esq., Wait Winthrop, John Richards, and Elisha Cooke, Esquires, are voted to be the above Committee. “Is. ADDINGTON, *Sec’y*.

“7 Dec. 1689.”

This Committee of seven evidently “received in” more testimony than was used, as appears by a Catalogue of the evidence now in the Mafs. Archives; a copy of this paper will be printed in our present series of tracts.

destroy the Fundamentals of the English and to Erect a French Government. We cannot learn that the like was ever practised in any place where the English are Planters, but only where Sir *E. A.* hath been Governour: For whereas in *New-England* by constant usage under their Charter Government, the Inhabitants of each Town did assemble as occasion offered to consider of what might conduce to the welfare of their respective Towns, the relief of the poor, or the like, Sir *E. A.*, with a few of his council, made a Law prohibiting any Town-meeting except once a year, viz. on the third Monday in *May*.²⁶ The Inhabitants of the Countrey were startled at this Law, as being apprehensive the design of it was to prevent the people in every Town from meeting to make complaints of their Grievances. And whereas by constant usage any person might remove out of the Countrey at his pleasure, a Law was made that no man should do so without the Governours leave. And all Fishing Boats, Coasters, &c. were to enter into a thousand pound bond, whereby Fees were raised for himself and creatures. This Law could not pass at *Boston*, because many of Sir *Edmund's* Council there opposed it; but then a *Juncto* of them meeting at *New-York*, passed it; and after that Law was made, how should any dissatisfied persons ever obtain liberty to go for *England* to complain of their being oppressed by *Arbitrary Governours*?

4. But besides all this, they made Laws for the *Levy*ing moneys without the consent of the People either by themselves or by an *Assembly*; for in order to the supporting their own Government,

²⁶ The law concerning town-meetings will be found in TRUMBULL'S Colonial Records of Connecticut, iii. 427-9. It was passed at Boston, 17 March, 1687-8, and in the same collection will be found the laws for raising a tax, and that for

increasing the duty on wines imported. The law prohibiting emigration without the Governor's leave has not been found, though PALFREY, iii. 551, quotes its title as "An Act requiring all Masters of Ships or Vessels to give Security."

Government, they did by an Act bearing date *March 3, 1686*, raise considerable sums of Money on the Kings subjects in that part of his dominions, *viz.* a penny in the pound on all Estates personal or real, twenty pence *per* head as Poll Money, a penny in the pound for goods imported, besides an Excise on Wine, Rum and other Liquors.

It hath indeed been pleaded that all this was but what the Laws of the Countrey before the change of the Government did allow. But this is vainly pretended, for there was no such Law in force at the time when these sums were levied, the former Laws which did authorize it, were repealed *Octob. 10, 1683*, some years before Sir *E. A.* and his complices had invaded the Rights and Liberties of the people there. Moreover in those parts of the Countrey where there were never any such Laws in force, particularly in *Plymouth* colony, this Money was levied, which they heavily complained of. Yet further, in another Act dated *Feb. 15, 1687*, they did without any colour of ancient Law make an additional duty of Impost and Excise, which raised the duty, some ten shillings, some twenty shillings *per* Pipe on Wines, and so on other things. Nay they levied Monies on *Connecticut* Colony contrary to their Charter, which was never vacated, than which nothing more Illegal and Arbitrary could have been perpetrated by them.

5. They did not only act according to these Illegal Taxes, but they did *inflict severe punishment on those true English men who did oppose their Arbitrary proceedings*, as shall be made to appear in many instances. When the Inhabitants of *Ipswich* in *New-England* were required to choose a Commissioner to tax that Town, some principal persons there that could not comply with what was demanded of them, did modestly give their reasons, for which they were committed to Goal, as guilty of high misdemeanours, and denied an *Habeas Corpus*, and were obliged to answer it at a Court of
Oyer

Oyer & Terminer at Boston. And that they might be sure to be found guilty, *Furors* were picked of such as were no Freeholders, nay of Strangers; the Prisoners pleading *the privilege of Englishmen* not to be taxed without their own consent, they were told that *the Laws of England would not follow them to the end of the Earth*, they meant the privileges of the English Law, for the penalties they resolved should follow them *quo jure quaque injuria*. And why should they insist on, and talk of the privileges of Englishmen, when it had been declared in the Governours Council, *that the Kings Subjects in New-England did not differ much from Slaves, and that the only difference was, that they were not bought and sold?* But to go on with the matter before us; In as much as the Prisoners mentioned had asserted their English Liberties, they were severely handled, not only imprisoned for several weeks, but fined and bound to their good behaviour; Mr. *John Wise* was fined fifty pounds besides costs of Court, deprived of the means of his subsistence, and gave a thousand pounds bond for good behavior. And Mr. *John Appleton* was fined fifty pounds and to give a thousand pounds bond for good behavior, and moreover declared incapable to bear Office, besides unreasonable Fees. After the same manner did they proceed with several others belonging to *Ipswich*. Likewise the Towns men of *Rowley, Salisbury, Andover, &c.* had the same measure. And the Kings Subjects were not only oppressed thus in the *Massachusetts Colony*, but in *Plymouth*. For when *Shadrach Wildboar*²⁷ the Town-Clerk of *Taunton* in *N. E.* did, with the consent of the Town,
 Sign

²⁷ Shadrach Wilbor was the son of Samuel Wilbor, of Boston, who was banished to Rhode Island during the Anne Hutchinson troubles, but returned to Taunton and Bolton. The order for his arrest is dated August 30, 1687, and he was punished for having "written

and published a certain scandalous, factitious and seditious writing therein, very much reflecting upon and contemning the laws, authority and government of this, his Majesty's Territory and Dominion of New England." *Mass. Hist. Soc. Coll.* 3rd S. vii. 190.

Sign a modest Paper signifying their not being free to raise money on the Inhabitants without their own consent by an assembly, the honest man was for this committed close Prisoner, and after that punished with a Fine of twenty Marks and three Months Imprisonment, and bound to find sureties by Recognizance to appear the next Court, and to be of the good behaviour. As to the matter of fact, the persons concerned in *these Illegal and Arbitrary Judgments* will not have the face to deny them; if they do, there are *Affidavits* now in *London* which will evince what hath been related when ever there shall be occasion for it.

It is a vanity in Mr. *Palmer*, to think that he hath answered this by affirming, but not proving, that the *Ipswich men* assembled themselves in a *riotous manner*; for that saying of his is very false. The World knows that *New England* is not the only place where honest men have in these late days been proceeded against as guilty of *Riots*, when they never deserved such a censure any more than these accused by Mr. *Palmer*. But the truth of what hath been thus far related is confirmed by the following *Affidavits*.

“ Complaints of great wrongs done under the Ill Government of Sir *Edmund Andross* Governour in *N. E.*, in the year 1687.

“ We *John Wise, John Andrews, senior, Robert Kinsman, William Goodhue, junior*, all of *Ipswich* in *New-England*, in the County of *Essex*, about the 22d day of *August*, in the year above named, were with several principal Inhabitants of the Town of *Ipswich* met at Mr. *John Appletons*, and there discoursed and concluded that it was not the Towns Duty any way to assist that ill method of raising Money without a general Assembly, which was apparently intended by above said Sir *Edmund* and his Council, as witness a late Act issued out by them for such a purpose. The next day in a general Town-Meeting of the Inhabitants

“ tants of *Ipswich*; We the above named *John Wise, John Andrews, Robert Kinsman, William Goodhue* with the rest of the Town then met (none contradicting) gave our assent to the vote then made.

“ The ground of our trouble, our crime was the Copy transmitted to the Council, *viz.* At a Legal Town meeting *August 23.* Asssembled by vertue of an Order from *John Usher, Esq*: Treafurer for choosing a Commissioner to join with the Select men, to assess the Inhabitants according to an Act of his Excellency the Governour and Council for laying of rates; the Town then considering that the said Act doth infringe their Liberty, as free born English Subjects of His Majesty by interfering with the Statute Laws of the Land, by which it was Enacted that no Taxes should be Levied upon the Subjects without consent of an Assembly chosen by the Freeholders for assessing of the same, they do therefore vote that they are not willing to choose a Commissioner for such an end without said privilege; and moreover consent not that the Select-men do proceed to lay any such rate until it be appointed by a general Assembly concurring with the Governour and Council. We the complainants with *Mr. John Appleton* and *Thomas French* all of *Ipswich* were brought to answer for the said vote out of our own County, thirty or forty miles into *Suffolk*, and in *Boston* kept in Goal, only for contempt and high misdemeanors as our *Mittimus* specifies, and upon demand, denied the privilege of an *Habeas Corpus*, and from Prison overruled to answer at a Court of *Oyer and Terminer* in *Boston* aforefaid. Our Judges were *Mr. Joseph Dudley* of *Roxbury* in *Suffolk* in *New-England*, *Mr. Stoughton* of *Dorchester*, *John Usher* of *Boston*, Treafurer, and *Edward Randolph*. He that officiates as Clerk and Attorney in the case is *George Farwel*.

“ The Jurors only twelve men and most of them (as is
“ said)

“ said) Non-freeholders of any Land in the Colony, some of
 “ them Strangers and Forreigners, gathered up (as we suppose)
 “ to serve the present turn. In our defence was pleaded the
 “ repeal of the Law of Assesment upon the place. Also the
 “ *Magna Charta* of *England*, and the Statute Laws that
 “ secure the Subjects Properties and Estates, &c. To which
 “ was replied by one of the Judges,²⁸ the rest by silence assent-
 “ ing, that we must not think the Laws of *England* follow us
 “ to the ends of the Earth, or whither we went. And the
 “ same person (*John Wise* above said testifies) declared in open
 “ Council upon examination of said *Wise*; Mr. *Wise* you
 “ have no more priviledges left you, than not to be sold
 “ for Slaves, and no man in Council contradicted. By such
 “ Laws our Trial and Trouble began and ended. Mr. *Dudley*
 “ aforesaid Chief Judge, to close up the debate and trial,
 “ trims up a speech that pleased himself (we suppose) more
 “ than the people. Among many other remarkable Passages,
 “ to this purpose, he bespeaks the Jury’s obedience, who (we
 “ suppose) were very well preinclined, *viz.* I am glad, says he,
 “ there be so many worthy Gentlemen of the Jury so capable
 “ to do the King service, and we expect a good Verdict from
 “ you, seeing the matter hath been so sufficiently proved
 “ against the Criminals. Note, the evidence in the case as to
 “ the substance of it, was that we too boldly endeavoured to
 “ persuade ourselves we were English Men, and under privi-
 “ ledges; and that we were all six of us aforesaid at the Town
 “ meeting of *Ipswich* aforesaid, and as the Witnesses supposed,
 “ we assented to the fore said Vote, and also that *John Wise*
 “ made a Speech at the same time, and said we had a good
 “ God, and a good King, and should do well to stand for our
 “ Priviledges—Jury returns us all six guilty, being all involved
 “ in the same Information. We were remanded from Verdict
 “ to

²⁸ This Judge was Dudley, says PALFREY, iii. 526.

“ to Prison, and there kept one and twenty days for Judge-
 “ ment. There with Mr. *Dudley's* approbation, as Judge
 “ *Stoughton* said, this Sentence was passed, *viz.*

“ *John Wise*, suspended from the Ministerial Function, fine
 “ fifty pound, money, pay cost, a thousand pound bond for
 “ the good behaviour one year.

“ *John Appleton* not to bear Office, fine 50*l.* money, pay
 “ cost, a thousand pound for the good behaviour one year.

“ *John Andrews* not to bear Office, fine 30*l.* money, pay
 “ cost, five hundred pound bond for the good behaviour one
 “ year.

“ *Robert Kinsman* not to bear Office, fine twenty pound
 “ money, pay cost, five hundred pound bond for the good
 “ behaviour one year.

“ *William Goodhue* not to bear Office, fine twenty pound
 “ money, pay cost, five hundred pound bond for the good
 “ behaviour one year.

“ *Thomas French* not to bear Office, fine 15*l.* Money, pay
 “ cost, 500*l.* bond for the good behaviour one year.

“ The Total Fees of this case upon one single Information
 “ demanded by *Farewell* abovesaid, amount to about a hun-
 “ dred and one pound seventeen shillings, who demanded of
 “ us singly about sixteen pound nineteen shillings six pence,
 “ the cost of Prosecution, the Fines added made up this, *viz.*
 “ Two hundred eighty and six pounds seventeen shillings,
 “ money. *Summa Totalis* 286*l.* 17*s.*

“ To all which we may add a large account of other Fees
 “ of Messengers, Prison charges, Money for Bonds and Trans-
 “ cripts of Records, exhausted by those ill men one way and
 “ another to the value of three or fourscore pounds, besides
 “ our expence of time and imprisonment.

“ We judge the Total charge for one Case and Trial under
 “ one single Information involving us six men abovesaid in
 “ expence of Time and Moneys of us and our Relations for
 “ our

“ our necessary Succour and Support to amount to more, but
 “ no less than 400*l.* Money.

“ Too tedious to illustrate more amply at this time, and so
 “ we conclude. *John Wise, John Andrews, Senior, William*
 “ *Goodhue, Junior, Thomas French,* these four persons named,
 “ and *Robert Kinsman.*

“ These four persons first named appeared the twentieth
 “ day of *December,* and *Robert Kinsman* appeared the one
 “ and twentieth day of *December,* 1689, and gave in their
 “ Testimony upon oath before me *Samuel Appleton* Assistant
 “ for the Colony of the *Massachusetts* in *New-England.*”

6. That those who were in confederacy with Sir *E. A.* for the enriching themselves on the Ruins of *New-England,* did *Invalidate the Property* as well as Liberty of the Subject, is in the next place to be cleared, and we trust will be made out beyond dispute. When they little imagined that there should ever be such a *Revolution* in *England* as that which by means of His Present Majesty this Nation is Blest with, they feared not to declare their Sentiments to the inexpressible exasperation of the people whom they were then domineering over. They gave out, that *now their Charter was gone, all their Lands were the Kings,* that themselves did Represent the King, and that therefore Men that would have any Legal Title to their Lands must take *Patents* of them, on such Terms as they should see meet to impose. What people that had the Spirits of Englishmen, could endure this? That when they had at *Vast Charges of their own conquered a Wilderness,* and been in possession of their Estates Forty, nay Sixty years, that now a parcel of Strangers, some of them indigent enough, must come and inherit all that the people now in *New-England* and their Fathers before them, had laboured for! Let the whole Nation judge, whether these Men were not driving on a French design, and had not fairly Erected a French Government. And that our Adversaries
 may

may not insult and say, these are words without proof, we shall here subjoin the testimonies of the Reverend Mr. *Higginson*, and several other worthy Persons, given in upon Oath, concerning this matter.

“ Being called by those in present Authority to give my
 “ Testimony to the Discourse between Sir *Edmund Andross*
 “ and myself, when he came from the Indian War, as he
 “ passed through *Salem* going for *Boston* in *March* 1688-9, I
 “ cannot refuse it, and therefore declare as followeth, what
 “ was the substance of that Discourse. Sir *Edmund An-*
 “ *dross* then Governour being accompanied with the Attor-
 “ ney-General *Graham*, Secretary *West*, Judge *Palmer*, the
 “ Room being also full of other people, most of them his
 “ Attendants, he was pleased to tell me, he would have my
 “ judgment about this question; *Whether all the Lands in*
 “ *New-England were not the Kings?* I told him I was sur-
 “ prized with such a question, and was not willing to speak
 “ to it; that being a Minister, if it was a question about a
 “ matter of Religion, I should not be averse, but this being a
 “ State matter, I did not look upon it as proper for me to
 “ declare my mind in it, therefore entreated again and again
 “ that I might be excused. Sir *E. A.* replied and urged me
 “ with much importunity, saying, Because you are a Minister,
 “ therefore we desire to know your judgment in it; then I
 “ told him, if I must speak to it, I would only speak as a
 “ Minister from Scripture and Reason, not meddling with the
 “ Law. He said, the Kings Attorney was present there to
 “ inform what was Law. I then said, I did not understand
 “ that the Lands of *N. E.* were the Kings, but the Kings
 “ Subjects, who had for more than Sixty years had the
 “ possession and use of them by a twofold right warranted by
 “ the Word of God. 1. By a right of just Occupation from
 “ the Grand Charter in *Genesis* 1st and 9th Chapters, whereby
 “ God gave the Earth to the Sons of *Adam* and *Noah*, to be
 “ subdued

" subdued and replenished. 2. By a right of purchase from
 " the Indians, who were Native Inhabitants, and had possession of the Land before the English came hither, and that
 " having lived here Sixty years, I did certainly know that
 " from the beginning of these Plantations our Fathers entered
 " upon the Land, partly as a Wilderness and *Vacuum Domi-*
 " *cilium*, and partly by the consent of the Indians, and there-
 " fore care was taken to Treat with them, and to gain their
 " consent, giving them such a valuable consideration as was
 " to their satisfaction, and this I told them I had the more
 " certain knowledge of, because having learned the Indian
 " Language in my younger time, I was at several times made
 " use of by the Government, and by divers particular Planta-
 " tions as an Interpreter in Treating with the Indians about
 " their Lands, which being done and agreed on, the several
 " Townships and proportions of Lands of particular Men
 " were ordered and settled by the Government of the Coun-
 " trey, and therefore I did believe that the Lands of *New-*
 " *England* were the Subjects Properties, and not the Kings
 " Lands. Sir *E. A.* and the rest replied, That the Lands were
 " the Kings, and that he gave the Lands within such limits
 " to his Subjects by a Charter upon such conditions as were
 " not performed, and therefore all the Lands of *New-England*
 " have returned to the King, and that the Attorney General
 " then present could tell what was Law, who spake divers
 " things to the same purpose as Sir *E. A.* had done, slighting
 " what I had said, and vilifying the Indian Title, saying, They
 " were Brutes, &c. and if we had possessed and used the Land,
 " they said we were the Kings Subjects, and what Lands the
 " Kings Subjects have, they are the Kings, and one²⁹ of them
 " used such an Expression, *Where-ever an Englishman sets his*
 " *foot, all that he hath is the Kings*, and more to the same
 " purpose.

²⁹ West and Graham are both reported to have used similar expressions at this meeting.

“ purpose. I told them that so far as I understood, we received
 “ only the right and power of Government from the Kings
 “ Charter, within such limits and bounds, but the right of the
 “ Land and Soil we had received from God according to his
 “ Grand Charter to the Sons of *Adam* and *Noah*, and with
 “ the consent of the Native Inhabitants as I had expressed
 “ before. They still insisted on the Kings right to the Land
 “ as before, whereupon I told them, I had heard it was a
 “ standing Principle in Law and Reason, *Nil dat qui non*
 “ *habet*; and from thence I propounded this Argument; he
 “ that hath no right, can give no right to another, but the
 “ King had no right to the Lands of *America* before the
 “ English came hither, therefore he could give no right to
 “ them. I told them, I knew not of any that could be pleaded
 “ but from a Popish Principle, that Christians have a right to
 “ the Lands of Heathen, upon which the Pope as the Head
 “ of the Christians had given the *West-Indies* to the King of
 “ *Spain*, but this was disowned by all Protestants. Therefore
 “ I left it to them to affirm and prove the Kings Title. They
 “ replied and insisted much upon that, that the King had a
 “ right by his Subjects coming and taking possession of this
 “ Land. And at last Sir *E. A.* said with indignation, Either
 “ you are Subjects or you are Rebels, intimating, as I under-
 “ stood him, according to the whole scope and tendency of his
 “ Speeches and Actions, that if we would not yield all the
 “ Lands of *N. E.* to be the Kings, so as to take Patents for
 “ Lands, and to pay Rent for the same, then we should not
 “ be accounted Subjects but Rebels, and treated accordingly.
 “ There were many other various replies and answers on
 “ both sides, but this is the sum and substance of that dis-
 “ course.—

John Higginson, aged seventy-four years.
Stephen Seawall, aged thirty-two years.

“ *John*

“ *John Higginson*, Minister in *Salem*, personally appeared before me, *Dec. 24*, 1689, and made Oath to the truth of the abovefaid Evidence.—

John Hathorne, Assittant.

“ Captain *Stephen Seawall* of *Salem* appeared before me, *December 24*, 1689, and made Oath to the truth of the abovefaid evidence.

John Hathorne, Assittant.

“ *Joseph Lynde*³⁰ of *Charles-towne* in the County of *Mid-dlesex* in *N. E.*, being fifty three years of age, testifieth and faith, That in the year 1687, *Sir Edmund Andross*, then Governour of *New-England* did inquire of him the said *Lynde* what Title he had to his Lands, who shewed him many Deeds for Land that the said *Lynde* possessed, and particularly for Land that the said *Lynde* was certainly informed would quickly be given away from him, if he did not use means to obtain a Patent for it. The Deed being considered by *Sir E. A.*, he said it was worded well, and recorded according to *N. E.* custom or words to the same purpose. He further enquired how the Title was derived, he the said *Lynde* told him, That he bought it of, had it of, his Father-in-law in Marriage with his Wife, and his said Father from *Charles-towne*, and the said Town from the General Court grant of the *Massachusetts-Bay*, and also by purchase from the Natives, and he said, my Title were
“ nothing

³⁰ Joseph Lynde, son of Thomas, b. 1636; m. first, Sarah, dau. of Nicholas Davison, secondly, Emma, widow of John Brackenbury, and third, Mary, widow of Adam Winthrop. The land came undoubtedly from Davison, who

was a large land-owner. Lynde died 29 Jan'y, 1727. Much information concerning these troubles is given by FROTHINGHAM (*History of Charles-town*, p. 219-236) who prints this deposition from *Mass. Archives*, xxxv. 169.

" nothing worth if that were all. At another time after shew-
 " ing him an Indian Deed for Land, he said, that their hand
 " was no more worth than a scratch with a Bears paw, under-
 " valuing all my Titles, though every way legal under our
 " former Charter Government. I then petitioned for a Patent
 " for my whole Estate, but Mr. *Wcst* Deputy Secretary told
 " me I must have so many Patents as there were Counties
 " that I had parcels of Land in, if not Towns; finding the
 " thing so chargeable and difficult I delayed, upon which I
 " had a Writ of Intrusion served upon me in the beginning
 " of the Summer 1688, the Copy whereof is in the *Charles-*
 " *towne's* Mens complaint, and was at the same time with that
 " of Mr. *James Russel's*, Mr. *Seawall's* and Mr. *Shrimpton's*,
 " it being for the same Land in part that I shewed my Title
 " unto Sir *E. A.* as above, being myself and those I derived
 " it from possessed, inclosed, and improved for about Fifty
 " years, at which time I gave Mr. *Graham* Attorney General
 " three pounds in Money, promising that if he would let the
 " Action fall I would pay Court charges, and give him Ten
 " pound, when I had a Patent completed for that small
 " parcel of Land, that said Writ was served upon me for;
 " which I did because a Quaker that had the promise of it
 " from the Governour, as I was informed in the Governours
 " presence should not have it from me: the said *Lynde*, having
 " about seven Acres more in the same common Field or Pas-
 " ture, about a mile from his forty-nine Acres (near unto the
 " Land that the said Governour gave unto Mr. *Charles Lidget*,
 " of divers of my Neighbours, which I concluded must go the
 " same way theirs went and therefore) though desired to be
 " patenteed by the said *Lynde* with the forty-nine Acres, he
 " could not obtain a Grant for it.³¹ About the same time Mr.
 " *Graham* Attorney General asked the said *Lynde* what he
 " would

³¹ We have endeavored to render this sentence plain by changing the punctua-
 tion. ED.

“ would do about the rest of his Land, telling him the said
 “ *Lynde* that he would meet with the like trouble about all
 “ the rest of his Lands that he possessed, and were it not for
 “ the Governours going to *New-York* at this time, there
 “ would be a Writ of Intrusion against every Man in the
 “ Colony of any considerable Estate, or as many as a Cart
 “ could hold, and for the poorer sort of people said Sir *E. A.*
 “ would take other measures, or words to the same purpose.
 “ The said *Lynde* further saith, That after Judgments obtained
 “ for small wrongs done him, tryable by their own Laws before
 “ a Justice of the Peace, from whom they allowed no Appeals
 “ in small Causes, he was forced out of his own County by
 “ Writs of false Judgment; and although at the first superiour
 “ Court in *Suffolk*, the thing was so far opposed by Judge
 “ *Stoughton* as illegal, as that it was put by, yet the next term
 “ by Judge *Dudley* and Judge *Palmer*, the said *Lynde* was
 “ forced to answer *George Farewell* Attorney aforesaid, then
 “ saying in open Court in *Charles-town*, that all causes must
 “ be brought to *Boston* in *Suffolk*, because there was not
 “ honest men enough in *Middlesex* to make a Jury to serve
 “ their turns, or words to that purpose; nor did *Suffolk*, as
 “ appeared by their practice, for they made use of Non-Resi-
 “ dents in divers cases there. I mention not any damage,
 “ though it is great, but to the truth above written I the said
 “ *Lynde* do set to my hand. *Joseph Lynde.*

“ *Boston*, the 14th of *January*, 1689-90.

“ *Juratus coram me,*

John Smith, Assistant.

And that the practices of these men have been according
 to their Principles, *destructive to the Property of the Subject*,
 is now to be declared. It is a thing too well known to be
 denied, that some of Sir *Edmund's Council* begged (if they
had

had not had secret encouragement no man believes they would have done so) those Lands which are called *The Commons* belonging to several Townships, whereby *Plymouth, Lyn, Cambridge, Road-Island, &c.* would have been ruined, had these mens Projects taken effect. And not only the *Commons* belonging to Towns, but those Lands which were the Property of several particular persons in *Charles-town*, were granted from them. And *Writs of Intrusion* were issued out against Coll. *Shrimpton*, Mr. *Samuel Seawall*, and we know not how many more besides, *That their Lands might be taken from them under pretence of belonging to King James.* An Island³² in the possession of *John Pittome* antiently appropriated to the maintenance of a *Free-School*, was in this way seized. How such men can clear themselves from the guilt of *Sacrilegious Oppression*, they had best consider. Mr. *Palmer* swaggers and hectors at a strange rate; for he hath these words, (p. 29.) “*I should be glad to see that man who would bare-faced* “*inflance in one particular grant of any mans Right or* “*Possession passed by Sir E. A. during his Government.*”—And what if we will shew him the men, that dare affirm as much or more than that? what will he do?

Me, me, adsum qui feci, in me convertite Ferrum.

We will produce those that have said (and sworn) as much as all this comes to. For *John Pittome* hath upon Oath declared, That *James Sherlock*, Sir *Edmunds Sheriff*, came on *Deer Island* on the 28th of *January* 1688, and turned him and his Family afloat on the Water when it was a snowy day, although he was Tenant there to Coll. *Shrimpton* and that the said *Sherlock* put two men (whom he brought with him) into possession of the said Island (as he said) *on behalf of King James the Second.* Let him also know, that Mr. *Shepard* and
Mr.

³² The island was Deer Island, which had been set apart for this purpose in 1642. (DRAKE, Hist. Boston, 267.) One of the depositions mentions it as having been so appropriated for about forty years, and as therefore not waste land.

Mr. *Burrill* of *Lyn*, and *James Ruffell*, Esq; of *Charlestowne* in *New-England* have declared upon Oath as followeth.

“ *Jeremiah Shepard* Aged forty two years and *John Burril*
 “ aged fifty seven years, we whose names are subscribed being
 “ made choice of by the Inhabitants of the Town of *Lyn* in
 “ the *Massachusetts* Colony in *New-England* to maintain their
 “ right to their properties and Lands invaded by Sir *Edmund*
 “ *Andross* Governour, we do testify that (besides Sir *Edmund*
 “ *Andross* his unreasonable demands of Money by way of
 “ Taxation, and that without an assembly, and Deputies sent
 “ from our Town according to ancient custom, for the raising
 “ of Money or levying of Rates) our Properties our honest
 “ and just and true Titles to our Land were also invaded,
 “ and particularly a great and considerable tract of Land
 “ called by the name of the *Nahants*, the only secure place
 “ for the Grazing of some thousands of our Sheep, and with-
 “ out which our Inhabitants could neither provide for their
 “ own Families, nor be capacited to pay dues or duties for
 “ the maintenance of the publick, but (if dispossessed of) the
 “ Town must needs be impoverished, ruined, and rendred
 “ miserable, yet this very tract of Land being Petitioned for
 “ by *Edward Randolph*, was threatned to be rent out of our
 “ hands, notwithstanding our honest and just Pleas for our
 “ right to the said Land, both by alienation of the said Land
 “ to us from the Original Proprietors the Natives, to whom
 “ we paid our Moneys by way of purchase, and notwithstand-
 “ ing near fifty years peaceable and quiet possession and
 “ improvement, and also inclosure of the said Land by a Stone
 “ Wall, in which tract of Land also two of our Patentees
 “ were interested in common with us, *viz.* Major *Humphreys*,
 “ and Mr. *Johnson*, yet *Edward Randolph* Petitioning for the
 “ said Land, Sir *Edmund the Governour* did so far comply
 “ with his unreasonable motion, that we were put to great
 “ charges and expences for the Vindication of our honest
 “ rights

“rights thereto, and being often before the Governour Sir
 “*Edmund* and his Council for relief, yet could find no favour
 “of our innocent cause by Sir *Edmund*, notwithstanding our
 “*Pleas of Purchase, antient Possession, Improvement, Inclo-*
 “*sure, Grant of the General Court, and our necessitous condi-*
 “*tion*, yet he told us all these Pleas were insignificant, and
 “we could have no true Title unless we could produce a
 “Patent from the King, neither had any person a right to
 “one foot of Land in *N. E.* by vertue of Purchase, Possession
 “or Grant of Courts, but if we would have assurance of our
 “Lands, we must go to the King for it, and get Patents of it.
 “Finding no relief (and the Governour having prohibited
 “Town-Meetings,) we earnestly desired Liberty for our Town
 “to meet, to consult what to do in so difficult a case and exi-
 “gency, but could not prevail. Sir *Edmund* angrily telling
 “us that there was no such thing as a *Town* in the Country,
 “neither should we have Liberty so to meet, neither were our
 “Antient Town Records (as he said) which we produced for
 “the vindication of our Titles to said Lands worth a Rush.
 “Thus were we from time to time unreasonably treated, our
 “Properties, and civil Liberties and Priviledges invaded, our
 “mifery and ruine threatned and hastned, till such time as
 “our Country groaning under the unreasonable heavy Yoke
 “of Sir *Edmunds* Government were constrained forcibly to
 “recover our Liberties and Priviledges.

Jeremiah Shepard,
John Burril.

“*Jeremiah Shepard* Minister, and *John Burril*, Lieuten-
 “ant, both of *Lin*, personally appeared before us, and made
 “Oath to the truth of this Evidence, *Salem, Feb. 3, 1689-90.*

John Hathorn, } Affittants.”
Jonathan Corwin, }

“*James*

“ *James Ruffel*, Esq; on the behalf of the Proprietors of the stinted Pasture³³ in *Charlestown*, and on his own personal account, declares as followeth,

“ That notwithstanding the answer made to Sir *E. A.*, his demand by some Gentlemen of *Charlestown* on the behalf of the Proprietors, which they judged satisfactory, or at least they should have a further hearing and opportunity to make out their Rights, there was laid out to Mr. *Lidget* adjoining to his farm in *Charlestown* a considerable tract of Land (as it is said one hundred and fifty Acres) which was of considerable value, and did belong to divers persons, which when it was laid out by Mr. *Wells*, there were divers bound-marks shewed by the Proprietors, and some of them, and I had Petitioned for a Patent for my particular Propriety, yet the whole tract was laid out to the said *Lidget*, who not only did cut down Wood thereon without the right owners consent, but arrested some for cutting their own Wood, and so they were deprived of any means to use or enjoy their own Land. And notwithstanding there were about twenty Acres of Pasture Land and Meadow taken from the said *Ruffel*, and given to Mr. *Lidget*, yet afterwards there was a *Writ of Intrusion* served upon a small Farm belonging unto the said *Ruffel*, unto which the aforesaid Pasture Land did belong, and had been long improved by *Patrick Mark* his Tenant, (and others good part thereof) above fifty years, so that to stop Prosecution, the said *Ruffel* was forced to Petition for a Patent, he having a Tenant who was feared would comply in any thing that might have been to his prejudice, and so his Land would have been

“ condemned

³³The stinted pasture, according to the common was divided out into rights of FROTHINGHAM, (Hist. p. 150,) lay between “the neck of land, Menotomies of pasturage, and this was done in 1637, among 113 inhabitants. (FROTHINGHAM, 65.) River, and the farms of Medford and Mr. Winthrop.” The phrase means only that

“ condemned under colour of Law, and given away as well
 “ as his Pastorage was without Law. Further the said *Russell*
 “ complains, that he having an Island in *Casco-bay*, called
 “ *Long-Island*, which his honoured Father long since bought
 “ of Mr. *Walker*, and was confirmed to *James Russell* by the
 “ General Court, and improved several years by Captain
 “ *Davis*, by mowing as Tenant to the said *Russell*, and the said
 “ *Russell* hearing it was like to be begged away, caused his
 “ Writ to be entred in the Publick Records in Mr. *West*’s
 “ Office, which he paid for the Recording of; notwithstanding
 “ Sir *E. A.* ordered Captain *Clements* (as he said) to survey
 “ the same, and he shewed me a Plat thereof, and said, if I
 “ had a Patent for it, I must pay three pence *per Acre*, it
 “ being 650 Acres. He was further informed, That if the
 “ said *Russell* would not take a Patent for it, Mr. *Usher* should
 “ have it.

Per James Russell.

“ *Jan.* 30, 1689-90. *James Russell*, Esq; personally ap-
 “ peared before me, and made Oath to the truth of what is
 “ before written.

William Johnson, Assistant.

Had not an happy *Revolution* happened in *England*, and so in *New-England*, in all probability those few ill men would have squeezed more out of the poorer sort of people there, than half their Estates are worth, by forcing them to take *Patents*. Major *Smith* can tell them, that an Estate not worth 200l. had more than 50l. demanded for a Patent for it. And if their boldness and madness would carry them out to oppress the Rich after such a manner as hath been shewed, what might the Poor look for? Nevertheless, their Tyranny was beyond any thing that hath been as yet expressed: For if men were willing to bring their Titles to their Possessions

to

to a Legal Tryal, they were not only threatned, but fined and profecuted, and ufed with barbarous Cruelty. When fome Gentlemen in *Boston* refolved in a Legal way to defend their Title to an Ifland there, Sir *Edmund's Attorney* threatned that it might *coft them all that they are worth, and something befides*, as appears by the following Affidavit, viz.

“ The Depofition of Captain *Daniel Turel*, and Lieutenant “ *Edward Willis*, Sworn, fay, That upon a *Writ of Intrufion* “ being ferved on *Deer-Ifland*, belonging to the Town of “ *Boston*, and let unto Colonel *Samuel Shrimpton* by the “ Select Men of the faid Town, the Rent whereof being of “ long time appropriated towards the maintenance of a Free “ School in the Town, we the Deponents two of the felect “ Men of the faid Town, do teftifie, That meeting with Mr. “ *James Graham* upon the Town-houfe, and telling him, that “ if Colonel *Shrimpton* did decline to perfonate the cafe of “ the faid Ifland, we the felect Men would. The faid *Graham* “ faid, Are *you* the Men that will *ftand Suit againft the King?* “ We the Deponents told him we would anfwer in behalf of “ the Town. The faid *Graham* replied, There was no Town “ of *Boston*, nor was there any Town in the Countrey; we “ made anfwer we were a Town, and owned fo to be by Sir “ *Edmund Androffe*, Governor, in the Warrant fent us for “ the making a Rate; then the faid *Graham* told us, We “ might ftand the Tryal if we would, but *bid us have a care* “ *what we did*, faying, *it might coft us all we were worth, and* “ *something elfe too*, for ought we knew, and further thefe “ Deponents fay not.

“ *Jan. 30, 1689.*

Daniel Turel,
Edward Willis.

“ Captain *Daniel Turel* and Lieutenant *Edward Willis* “ appeared perfonally before me, and made Oath to the truth “ of what is above written.

William Johnson, Affiftant.

One

One of Sir *Edmund's* Council and Creatures, Petitioned for an Island belonging to the Town of *Plymouth*, and because the Agents of the said Town obtained a voluntary Subscription from the Persons concerned to bear the charge of the Suit; they were treated as Criminals, and against all Law, Illegally compelled to answer in another County, and not that where the pretended Misdemeanours were committed. And Mr. *Wiswall* the Minister of *Duxbury* having at the desire of some concerned transcribed a Writing which tended to clear the right they had to the Island in controversy, and also concerning the abovesaid voluntary Subscription, both Transcribed in the Winter 1687. A Messenger was sent, to bring him to *Boston* on the 21st *June*, 1688; he was then lame in both Feet with the Gout, fitter for a Bed than a Journey, therefore wrote to the Governour, praying that he might be excused until he should be able to Travel, and engaged that then he would attend any Court; but the next Week the cruel Officer by an Express Order from Sir *E. A.*, forced him to Ride in that condition, being shod with Clouts instead of Shoes; and when he came before the Council he was there made to stand till the anguish of his Feet and Shoulders had almost overcome him; after he was dismissed from the Council, the Messenger came and told him, he must go to Goal, or enter into Bonds for his appearance at the next Superior Court held in *Boston*, and pay down 4 *l.* 2 *s.* in silver. His Sickness forced him to decline a Prison, and to pay the Money. At the next Superior Court he appeared in the same Lame and Sick condition, and the extremity of the Weather cast him into such a violent Fit of Sicknes, that he was in the judgment of others nigh unto death, and he himself thought that he should soon be out of their Bonds, and at liberty to lay his Information against his Oppressors before the Righteous Judge of the whole World. After all this having been forced a third time out of his own
County

County and Colony, near Forty Miles, he was delivered from the Hands and Humours of his Tyrannical Oppressors, who had expos'd him to great difficulties, charges, and to 228 Miles Travel in journeying to and from *Boston*, directly opposite to the place where he ought to have been tryed, had he been guilty of any of the *pretended Misdemeanours*, none of which his worst Enemies ever had the Face to read in open Court, or openly to charge him with to this day. Now shall such men as these talk of *Barbarous Usage* who have themselves been so inhumane?

Quis tulerit Gracchos de seditione querentes!

7. As for Sir *E. A.* his *supplying the Indians with Ammunition in the time of actual War with them*, the following Testimonies confirmed the people of *N. E.* in the belief of it.

“*Lenox Beverley* aged about twenty-five years being Sworn, “faith, That he being Souldier at *Pemyquid* the Winter time “1688, where was Captain General Sir *E. A.*, Knight, there “came to the Fort where Sir *E. A.* then was, two Squaws, “the one *Madocowandos* Sister, and the other *Moxis* Wife “(as was said) and two other Indian Women that went along “with them; they were in the Fort with Sir *Edmund* two “days, and when they came forth they seem'd to be half “drunk, this Deponent and *Peter Ripley* was commanded to “Guard these Squaws from *Pemyquid* to *New-Harbour*, “being in distance about two Miles, and as we pass'd on the “way *Madocowandos* Sister laid down her Burden in the “Snow and commanded the Deponent to take it up, where- “upon the Deponent looked into the Basket, and saw a small “Bag which he opened, and found it to be Gunpowder, “which he judg'd five pounds weight, and a Bag of Bullets “of a greater weight, and the weight of the Basket I took “up, was as much as the Deponent could well carry along, “and the other three Squaws had each one of them their “Baskets, which appear'd rather to be of greater than lesser
“burden,

“burden, than that the Deponent carried, which were all of
 “them loaden, and brought out of the Fort, and *Madocow-*
 “*andos* sifter said she had that Powder of Sir *Edmund*, and
 “added, that she was to come again to him within four
 “days—

Lenox X Beverley
 his mark.

Boston, Aug. 17, 1689.

Sworn in Council, Attests *Is. Addington*, Secretary.

“*Gabriel Wood* of *Beverly*, aged about twenty-four years,
 “testifies, That being one of the Souldiers that was out the
 “last Winter past, *Anno 1688*, in the Eastward parts, and
 “under the command of Sir *Edmund Andross*, and being
 “then at *Pemyquid* with him, was commanded by him the
 “said Sir *E.*, together with so many more of the Souldiers as
 “made up two Files, to Guard and safely conduct three
 “Indian Women from *Pemyquid* aforesaid to *New Harbour*,
 “which said Indian Women were all laden, and to my certain
 “knowledge one of the said Women had with her in her said
 “Journey a considerable quantity of Bullets, which she
 “brought with her from *Pemyquid* aforesaid, and to my best
 “apprehension, she had also a considerable quantity of Pow-
 “der in a Bag in her Basket, but I did not see that opened,
 “as I did see the Bullets, neither dared I be very inquisitive,
 “the rest of the Souldiers in company with me seeing the
 “Indians so supplied with Ammunition (as we all appre-
 “hended they were by our Governour and Captain-General
 “Sir *E. A.* aforesaid) *we did very much question amongst our-*
 “*selves whether the said Sir E. did not intend the destruction*
 “*of our Army, and brought us thither to be a Sacrifice to our*
 “*Heathen Adversaries.*

“The mark of *Gabriel [A] Wood.*

Gabriel

Gabriel Wood of *Beverly* in the county of *Essex*, personally appeared before me at *Salem* in *N. E.*, *January 29*, 1689-90, and made Oath to the Truth of the abovefaid Evidence.

John Hatherne, Assifant.

8. That the *Indians* declared they were encouraged by *Sir E. A.* to make War upon the *Engliffi*, is moft certainly true, although the *Lying Author* of that *Scandalous Pamphlet*, called *New-England's Faction discovered*, has the impudence to fay, that it is certainly *false*. Two *Indians*, *Waterman* and *David*, teftifie that the *Maquas* *Indians* fent a *Meffenger* to *Pennicock*, to inform that *Sir E. A.* had been tampering to engage them to fight againft the *Engliffi*. Another *Indian* called *Solomon Thomas*, affirmed, that *Sir Edmund* gave him a *Book*, and that he faid that *Book* was better than the *Bible*, that it had in it the *Picture* of the *Virgin Mary*, and that when they fhould fight at the *Eastward*, *Sir Edmund* would fit in his *Wigwam*, and fay, *O brave Indians!* Another *Indian* named *Joseph* (who was in *hoftility* againft the *Engliffi*) bragged that the *Governour* had more love for them than for the *Engliffi*. Another *Indian* named *John James*, did of his own voluntary mind declare to feveral in *Sudbury*, that *Sir E. A.* had hired the *Indians* to kill the *Engliffi*: The men to whom he thus expreffed himfelf, reproved him, and told him that they believed he belied *Sir E. A.* and therefore they fecured him, and complained to a *Justice of Peace*, by which means he was brought to *Boston*, but *Sir E.* inftead of punifhing was kind to the *Indian*, when as both the *Justice* and the *Sudbury* man had (to ufe *Mr. Palmer's* phrafe) *horrible ufage*, by means whereof an *Alarm* and *Terrour* run through the *Countrey*, fearing fome *mischievous* defign againft them. That this *Relation* is not a feigned ftory, the enfuing teftimonies make to appear.

“ The

“ The Testimony of *Waterman*, and *David*, Indians, saith,
 “ that the *Maquas* sent a messenger to *Pennicock* to inform
 “ that the Governour *Edmund Andross* hired the *Maquas* to
 “ fight the English, and paid down to them one Bushel of
 “ white Wompon, and one Bushel of black Wompon, and
 “ three Cart loads of Merchants good, trucking Cloath and
 “ Cotton Cloath, and Shirt Cloath, and other goods. The
 “ *Maquas* saide, That the English were their good Friends, and
 “ saide, they would not fight them, for the English never
 “ wronged them, but the *Maquas* took the pay on the account
 “ of the *Maquas* helping the English to fight their Enemies
 “ the last War.

Witness our hands { *David* X mark.
 { *Watermans* Q mark.

Test.

Cornelius Waldo, senior
Moses Parker,
Thomas Read.

The two Indians above-mentioned *Waterman* and *David*,
 appeared the 4th day of *May* 1689, and to the Council then
 sitting owned the above-written to be truth;

Ifa. Addington, Secretary.

Rochester in the King's Province, *Sept.* 16, 1688. “ *Samuel*
 “ *Eldred, junior*, of *Rochester* came before *Arthur Fenner* and
 “ *John Fones, Esq*; two of His Majesties Justices of the
 “ Peace, and did declare upon Oath, that on the Evening
 “ before an Indian whom he had seized, by name *Joseph*, did
 “ in an insulting and vaunting manner say, there was 500 at
 “ *Martin's Vineyard*, 700 at *Nantucket*, and 400 at *Chappa-*
 “ *queffot*, all very well armed, in a better manner than him
 “ the said *Samuel Eldred*, and that our Governour did not
 “ dare to disfarm them for that the Governour had more love
 “ for

“ for them, the said Indians, than for His Majesties Subjects
 “ the English. The said Indian being brought before us,
 “ and examined, did confes the greateft part of what was
 “ fworn againft him, and owned that he was one of them
 “ that were in hostility againft the English in the late Wars,
 “ upon which the said Indian was committed to Goal.

*Per Arthur Fenner,
 John Fones.*

“ The testimony of *Joseph Graves* aged 46 years or there
 “ about and *Mary Graves* about 30 years, of *John Rutter*
 “ aged about 40 years, witnes that on the 2d day of *January*
 “ 1688, *Solomon Thomas*, Indian, being at the houfe of
 “ *Joseph Graves*, in the Town of *Sudbury*, said, that when
 “ the Fight at the Eastward should be, if the Indians had the
 “ better of it, as the English did retreat, the Friend Indians
 “ were to shoot them down, but if the English get the day,
 “ we say nothing, and that in the Spring *French and Irish*
 “ would come to *Boston*, as many, and all won³⁴ Indians, for
 “ that was the first place that was to be destroyed, and after
 “ that the Countrey Towns would be all won³⁴ nothing. And
 “ further, the said *Solomon* said, that the Governour had
 “ given him a Book, which said Governour said was better
 “ than the Bible, and all that would not turn to the Gover-
 “ nours Religion, and own that Book, should be destroyed.
 “ In which Book he the said *Thomas* said was the Picture of
 “ our Saviour, and of the *Virgin Mary* and of the Twelve
 “ Apoffles; and the Governour said, when we pray, we pray
 “ to the *Virgin Mary*; and when the Fight should be at the
 “ Eastward, the Governour would fit in his Wigwam, and say,
 “ *O brave Indians!* Whereupon *John Rutter* told the In-
 “ dian, that he deserv'd to be hanged for speaking fuch things,
 “ but

³⁴ “ All won,” *i. e.*, “ all one,” a phrase meaning alike, as, &c.

“ but the Indian replied, it was all true. Upon the hearing
 “ this discourse, we resolved to come to *Boston*, and acquaint
 “ Authority with it, but by reason of the sickness of *Jos.*
 “ *Graves*, we could not presently, but as soon as conveniently
 “ we could, we accordingly appeared at *Boston* with our
 “ Information, which the said *Joseph Graves* carried to Mr.
 “ *Bullivant* a Justice of the Peace.

Joseph Graves,
John X Rutter, signum.
Mary Y Graves, mark.

“ *Boston*, Jan. 28, 1689, *Joseph* and *Mary Graves* came
 “ and made Oath to the above-written,

“ Before me, *William Johnson*, Assistant.”

That when the English secured some of the Indians mentioned, and brought them before Sir *E. A.* Justices, they were basely & barbarously used for their pains, the following *Affidavits* shew.

Sudbury in *New-England*, March 22, 1688-9, “ *Thomas*
 “ *Browne*, aged about Forty-four years, and *John Goodenow*,
 “ aged about Fifty-four years, *John Growt*, senior, aged near
 “ Seventy years, *Jacob Moore*, aged about 44 years, *Jonathan*
 “ *Stanhope*, aged about 57 years, and *John Parmiter*, aged
 “ about 50 years, all Inhabitants of the Town of *Sudbury*
 “ aforesaid, do witness, that we heard *John James*, Indian, of
 “ his own voluntary mind, say, That the Governour was a
 “ Rogue, and had hired the Indians to kill the English, and
 “ in particular, had hired *Wohawhy* to kill Englishmen, and
 “ that the Governour had given the said *Wohawhy* a gold
 “ Ring, which was his Commission, which gold Ring the said
 “ *Wohawhy* sold to *Jonathan Prescott* for two shillings in
 “ money:

“ money: Whereupon we replied, Sirrah, you deserve to be
 “ hanged for what you say. *John James* the Indian replied,
 “ What you Papiſt, all one Governour. I ſpeak it before
 “ Governours very face. This diſcourſe of *John James*,
 “ Indian, was at the place, and on the day above-written.

Thomas Browne,
John Goodenow,
Jacob Moore,
Jonathan Stanhope,
John Parmiter.

“ *Thomas Browne* and *John Goodenow*, two of the Sub-
 “ ſcribers above, having received this Declaration from *John*
 “ *James* the Indian, we thought it our duty forthwith to
 “ inform Authority, and did with the Indian preſently go to
 “ *Water-town* to Juſtice *Bond*, where the ſaid *John James*
 “ did voluntarily give his Teſtimony before the ſaid Juſtice
 “ *Bond*, which after he had taken, the ſaid Juſtice *Bond*
 “ ordered us the ſaid *Thomas Browne* and *John Goodenow* to
 “ make our appearance before the Governour Sir *E. A.*, or
 “ one of the Council with the Indian, which accordingly we
 “ did, when we came to the Governours houſe; after long
 “ waiting in a very wet and cold ſeaſon, we were admitted
 “ unto the Governours preſence, where we were detained
 “ until eleven or twelve a Clock at night, and after a very
 “ unkind Treat, we humbly prayed his Excellency, he would
 “ pleaſe to diſcharge us of the Indian, but he told us no, and
 “ joaked us, ſaying, we were a couple of brave men, and had
 “ the command, one of a Troop of Horſe, and the other a
 “ Company of Foot, and could we not know what to do with
 “ a poor Indian? Further, he aſked us what money we gave
 “ the Indian to tell us ſuch news, and commanded us ſtill to
 “ take care of the Indian till his pleaſure was to call for us
 “ again,

“ again, and this as we would answer it. Thus being feverly
 “ chidden out of his presence, we were forced with the Indian
 “ to seek our quarters where we could find them. The next
 “ morning we were preparing to go home again to *Sudbury*
 “ (being 20 miles or more) being *Saturday*, we were again sent
 “ for by the Governour, by a Messenger, to wait on the Gov-
 “ ernour, with the Indian, which we did, and waited at the
 “ Exchange or Council-house in *Boston*, from nine a Clock
 “ in the morning till three of the Clock in the afternoon,
 “ where in the face of the Countrey we were made to wait
 “ upon the Indian with many squibs and scoffs that we met
 “ withal; at last we were commanded up before the Gover-
 “ nour and his Council, where we were examined apart over
 “ and over, and about the Sun-setting were granted leave to
 “ go home, it being the Evening before the Sabbath.

*Thomas Browne,
 John Goodenow.*”

“ On Monday morning following, being the 25th of *March*,
 “ 1689, *Jacob Moore*, *Joseph Graves*, *Joseph Curtis*, *Joseph*
 “ *Moore*, *Obadiah Ward*, were by *Thomas Larkin* as a
 “ Messenger fetched down to *Boston*, where after Examination,
 “ *Jacob Moore* was committed to close Prison. *Joseph Moore*,
 “ *Joseph Graves*, *Joseph Curtis*, and *Obadiah Ward* were
 “ sent home again, paying the said *Larkin* twelve shillings
 “ per Man. On the next Monday Morning after, being the
 “ first day of *April* 1689, *Samuel Gookin* the Sheriff of
 “ *Middlesex* and his Deputy came up to *Sudbury*, and com-
 “ manded *Thomas Browne*, *John Goodenow Senior*, *John*
 “ *Growth Senior*, *Jonathan Stanhope*, *John Parmiter*, forth-
 “ with to appear at *Boston*, at *Collonel Page's* House, but it
 “ being a Wet and Cold Day, we were detained at Judge
 “ *Dudleys* house at *Roxbury*, where after long waiting, had
 “ the

“ the kindness shewn us, to have an examination every man
 “ apart before Judge *Dudley*, Judge *Stoughton*, Mr. *Graham*
 “ and others, and were bound over to answer at the next
 “ Superiour Court to be held at *Boston*, what should there be
 “ objected against us upon his Majesties account. *Thomas*
 “ *Browne*, *John Goodenow*, Senior, *John Growt*, Senior, were
 “ each of them bound over in three hundred pound Bonds,
 “ and each man two sureties in three hundred pound Bond a
 “ piece. *John Parmiter* and *Jonathan Stanhope*, were bound
 “ in a hundred pound a piece, besides the loss of our time
 “ and hindrance of our Business, the reproach and ignominy
 “ of Bond and Imprisonment, we shall only take the boldness
 “ to give a true account of what money we were forced to
 “ expend out of our own purses as followeth, to the Sheriff,
 “ and other necessary Charges.

	l.	s.	d.		l.	s.	d.
<i>Thomas Browne</i> ,	2	00	00	<i>Jacob Moore</i> ,	3	00	00
<i>J. Goodenow</i> , Senior,	2	00	00	<i>Jona. Stanhope</i> ,	0	15	00
<i>J. Growt</i> , Senior,	0	10	00	<i>John Parmiter</i> ,	0	15	00
<i>J. Rutter</i> , Junior,	3	05	00	<i>Joseph Graves</i> ,	3	15	00
<i>Joseph Curtis</i> ,	0	17	00				

“ *Boston*, the 21st of *Decem.*, 1689,

Jurat. cor.

“ *Isaac Addington*, Assistant.

Thomas Browne,
John Goodenow,
Jacob Moore,
Jonathan Stanhope,
Joseph Curtis,
John Parmiter.”

Altho no man does accuse Sir *Edmund* meerly upon
 Indian Testimony, yet let it be duly weighed (the premises
 considered) whether it might not create suspicion and an
 astonishment in *the People of New-England*, in that he did
 not

not punish the *Indians* who thus charged him, but the English who complained of them for it. And it is certain, that some very good and wise men in *New-England* do verily believe that he was deeply guilty in this matter, especially considering what might pass between him and *Hope Hood* an Indian, concerning which Mr. *Thomas Dantforth* the present Deputy-Governour at *Boston* in *New-England*, in a letter bearing date *April 1, 1690*, writeth thus:—

“ The Commander in chief of those that made this spoil, (i. e.) the spoil which was made in the Province of *Maine* “ on the 18th of *March* last, is *Hope Hood* an Indian, one “ that was with fundry other Indians in the summer 1688 “ seized by some of Sir *Edmunds* Justices and Commanders “ in the Province of *Maine*, and sent Prisoners to *Boston*, Sir “ *Edmund* being then at the Westward, where he continued “ absent many weeks; upon his return finding the Indians in “ Prison, fell into a great rage against those Gentlemen that “ had acted therein, declared his resolution to set them at “ liberty and calling his Council together, was by some “ opposed therein, and among others, one Gentleman of the “ Council accused this *Hope Hood* to be a bloody Rogue, and “ added, that he, the said *Hope Hood*, had threatened his Life, “ and therefore prayed Sir *E.* that he might not be enlarged, “ but Sir *E.* made a flout and scorn of all that could be said. “ At the same time some of the Council desired Sir *E.* that “ this *Hope Hood* might be sent for before the Council, to “ which he replied, that he never had had a quarter of an “ hours conference with any of them, and that he scorned to “ discourse with any Heathen of them all, yet all this notwithstanding, at the same time whilst the Council was thus met, “ did Sir *Edmund* privately withdraw himself, and repair to “ the Prison where this *Hope Hood* was Prisoner, and did “ there continue with him two or three hours in private, the “ truth

“ truth of what is above related is attested by fundry Gentle-
 “ men that were of Sir *Edmunds* Council, and were then
 “ Ear Witnesses, and likewise by others that saw Sir *E.* at the
 “ Prifon; and as it is now verily believed that at that very
 “ time he consulted the mischief that is now acted by the said
 “ Hope Hood and Company.” Thus Mr. *Dantforth*.

9. That Sir Edmund Androsse *discountenanced making*
defence against the Indians, is complained of by five Gentle-
 men who were of his Council, and much concerned at his
 strange actings in that matter as in the account annexed to
 this *Apology* is to be seen. It is also confirmed by the *Affi-*
davits of two honest men, viz.

“ *Henry Kerley* aged about fifty-seven years and *Thomas*
 “ *How* aged thirty-five years or thereabouts, both Inhabitants
 “ of the Town of *Marlborough*, do both testify that in the
 “ Fall of the year, 1688, When Sir *Edmund Androsse* came
 “ from *New-York* to *Boston* sometime after the Indians had
 “ killed some Englishmen at *North-field* in *New-England*,
 “ coming through our Town of *Marlborough*, the said Sir
 “ *E. A.* examined this Deponent *Henry Kerley* by what
 “ Order we did Fortify and Garrison our Houses, I answered
 “ it was by order of Captain *Nicholson*, the said Sir *E.* then
 “ said, he had no power so to do. He the said Sir *E.* exam-
 “ ined what Arms we made use of, and carried with us on
 “ the Watch, and what charge was given us,³⁵ answer was
 “ made by the Deponent, they carried Fire Arms, and the
 “ charge was to keep a true Watch, to examine all we met
 “ with, and secure suspicious persons that we met with, the
 “ said Sir *E.* said, what if they will not be secured, and what
 “ if you should kill them; answer was made by the Depo-
 “ nent,

³⁵ It is impossible not to suspect that Andros had in his mind the immortal
 Dogberry's charge to the Watch.

" nent, that if we should kill them, we were in our way, then
 " Mr. *Randolph* being there in the company said, you are *in*
 " *the way to be hanged*. Sir *E. A.* said further, that those
 " persons that had left their Houses, to dwell in Garrisons, if
 " they would not return, others should be put in that would
 " live there.

" *Boston* the 27th of *Decemb.*

" 1689. *Jur. Henry Kerley,*

" and the 2d of *January* 1689,

" *Jur. Thomas How.*

Henry Kerley,
Thomas How.

" *Cor. Is. Addington, Assitant.*"

³⁶ That Sir *Edmunds High Sheriff* was a *Stranger in the Country, and one that had no Estate there* needs no proof, and that *Strangers who had no Freehold, were Impanneled for Jurors* is notoriously known. So it was in the case of the *Ipswich-men* as hath been noted, and when that Reverend person Mr. *Charles Morton*, was causelessly and maliciously prosecuted, he was not only compelled to answer (contrary to Law) in another County, and not in that wherein the good Sermon they found fault with, was Preached, but that if possible, they might give him a blow, there was summoned to serve as a Jury man, one *John Gibson* no Householder nor of any Estate or Credit, and one *John Levingsworth* a Bricklayer, who lived in another Colony two hundred Miles distance.³⁷ When those in Government will use such *base Artifices* as these to accomplish their pernicious designs, how should any man's Estate or Life be secure under him?

11. That

³⁶ This is doubtless Section 10, though not numbered in the original.

³⁷ By the depositions it appears that Leavenworth "hath no family in Boston, but hath kept his family these many

yeares in the farthest Towne in Connecticut Collony. One Jer. Gibson, a single person and no householder" is also mentioned, though the text styles him *John Gibson*.

11. That the persons objected against, were some of them *guilty of great extortion* is manifest from what has been related, and may yet be further proved, for (as by some instances we have already seen, and shall now hear more) they *compelled men to take Patents for their own Lands*, which they and their Fathers before them, had quietly possessed till these covetous Creatures became a *Nuisance* to the Country, and it may be, none more Criminal, as to this particular, than Mr. *Palmer* and Mr. *West*. A Friend of their own, *viz.* Mr. *Randolph*, does in several of his Letters bitterly complain of them upon this account. In a Letter of his of *August* the 25th, 1687, he writeth thus:

“ I believe all the Inhabitants in *Boston* will be forced to “ take Grants and Confirmations of their Lands, as now “ intended; the Inhabitants of the Province of *Maine* which “ will bring in *vast profits to Mr. West*, he taking what Fees “ he pleases to demand. I shall always have a due Honour “ and Respect for his Excellency, but I must buy his Favour “ at three or four hundred pounds a year loss.” And in another to the same, *June*, 21, 1688, he hath these words. “ I went to one *Shurte* Town-Clerk of *Pemyquid*, to know “ what Leases were made lately, and by whom, and for what “ quit Rent; he told me that above a year ago Captain *Palmer*, and Mr. *West* produced to them a Commission from “ Collonel *Dungan*, to dispose of all their Lands to whoever “ would take leases at five shillings the hundred Acres quit “ Rent. They let there and at a place called *Dartmouth* “ twelve or sixteen Miles distant from *Pemyquid* about one “ hundred and forty Leases, some had eight hundred or ten “ hundred Acres, few less than a hundred, some but three or “ four Acres, and all paid 2l. 10s. for passing their Grants of “ 100 Acres of Wood Land, with twenty Acres of Marsh where- “ ever it could be found, but this bred a great mischief among “ the People; few or none have their Land measured or “ marked,

" marked, they were in haste, and got what they could, *they*
 " *had their Emiffaries among the poor people, and frightened*
 " *them to take Grants, some came and complained to the*
 " Governour, and prayed him to *confirm their Rights, which*
 " *he refused to do, the Commission and whole proceeding*
 " being illegal, having notice they were to be under his Gov-
 " ernment, they repented it, but it served their turn. *The poor*
 " *have been very much oppressed here, the Fort run all to ruine,*
 " and wants a great deal to repair it. Captain *Palmer* and
 " Mr. *West* laid out for themselves such large lots, and Mr.
 " *Graham* though not there, had a Childs Portion, I think
 " some have eight thousand or ten thousand Acres. *I hear*
 " *not of one penny rent coming in to the King, from them who*
 " *have their Grants confirmed at York, and the five shillings*
 " an hundred Acres was only a *Sham* upon the People: at
 " our return we saw very good Land at *Winter Harbour,*
 " enough to make large settlements for many people. The
 " Governour will have it first measured, and then surveyed,
 " and then will dispose of it for settlements. Mr. *Graham*
 " and his Family are settled at *Boston,* he is made *Attorney*
 " *General, and now the Governor is safe in his New-York*
 " *Confidants,* all others being Strangers, to his *Council.* 'Twas
 " not well done of *Palmer* and *West* to tear all in pieces that
 " was settled and granted at *Pemyquid* by Sir *E.,* that was the
 " Scene where they *placed and displaced at pleasure and were*
 " *as Arbitrary as the great Turk.* *Some of the first settlers of*
 " *that Eastern Country were denied Grants of their own*
 " *Lands, whilst these men have given the Improved Lands*
 " *amongst themselves, of which I suppose Mr. Hutchinson hath*
 " *complained.*" In another, *May* the 16th 1689, he says; " I
 " must confess there have been *ill men from New-York,* who
 " have too much studied the disease of this people, and both
 " in Courts and Councils, they have not been *treated well.*"
 Thus does *Edward Randolph,* a Bird of the same Feather
 with

with themselves confefs the truth, as to this matter, concern-
his Brother Palmer and West.

And that *Oppressive Fees have been extorted by Indigent and Exacting Officers* is declared by Mr. *Hinckley* the present Governour of *New-Plymouth* in his *Narrative of the Grievances and Oppressions of Their Majesties good Subjects in the Colony of New-Plymouth in New-England, by the Illegal and Arbitrary Actings in the late Government under Sir E. A.*, which *Narrative* is too large to be here inserted, but it is possible it may be published by it self, whereby it will appear that every corner in the Countrey did ring with complaints of the Oppressions, and (to speak in Mr. *Palmer's* phrase) *horrible Usages* of these ill Men. Some passages out of Mr. *Hinckley's Narrative* respecting this matter, we shall here Transcribe, whose words are these which follow.

“ The Bill of Cost Taxed by Judge *Palmer* seems also to “ be the greatest Extortion ever heard of before, as thrice “ twenty Shillings for three motions for Judgment at the “ same Term, (and was it not their courtesie they did not “ move ten times one after another at the same rate) and “ Taxed also, *five pound for the Kings Attorney, and one and “ twenty Shillings for the Judges, and ten Shillings for the “ Sheriff,* and other particulars as by the said Bill appeareth, “ and that which makes it the greater Extortion is, that the “ whole Bill of Cost was exacted of every one of them, which “ each of them must pay down, or be kept Prisoners till they “ did, though all seven of them were jointly informed against “ in one Information.” Thus Mr. *Hinckley.*

The cry of poor Widows and Fatherless is gone up to Heaven against them on this account; for the Probate of a Will and Letter of Administration above fifty Shillings hath been extorted out of the hands of the Poor, nay they have been sometimes forced to pay more than four Pounds, when not much above a Crown had been due. Let *Andrew Ser-*

geant

geant and *Joseph Quilter* among many others speak if this be not true, who were compelled to Travel Two Hundred Miles for the Probate of a Will, and to pay the unreasonable and oppressive Fees complained of.

Besides these things, under Sir *Edmund's* Government they had wicked ways to extort Money when they pleased. Mr. *William Coleman* complains (and hath given his Oath accordingly) that upon the supposed hired Evidence of one Man he sustained Forty Pound damage in his Estate. And there were complaints all over the Countrey that Sir *Edmund's Excise men* would pretend Sickness on the Road, and get a Cup of Drink of the Hospitable People, but privately drop a piece of Money, and afterwards make Oath that they bought Drink at these Houses, for which the Innocent Persons were fined most unreasonably, and which was extorted from them, though these Villanies were declared and made known to those then in Power. *William Goodhue, James and Mary Dennis* might be produced as Witnessees hereof, with many more. Some of Sir *Edmund's* Creatures have said, That such things as these made *his Government to sink*. Also *John Hovey* and others complain of sustaining Ten Pound damages by the Extortion of Officers, though never any thing (they could hear of) was charged upon them to this day. *John and Christopher Osgood* complain of their being sent to Prison nine or ten days, *without a Mittimus, or any thing laid to their charge*, and that afterwards they were forced to pay excessive charges—It would fill a Volume, if we should produce and insert all the *Affidavits* which do confirm the truth of these complaints.

In the time of that unhappy Government, if the Officers wanted Money, it was but Seizing and Imprisoning the best Men in the Countrey for no fault in the world, and the greedy Officers would hereby have Gift to their Mill. Thus was Major *Appleton* dealt with. Thus Captain *Bradstreet*. Thus

Thus that worthy and worshipful Gentleman *Nathaniel Salstonstal*, Esquire, was served by them and *barbarously prosecuted*, without any Information or Crime laid to his charge; for he had done nothing worthy of Bonds, but it was the pleasure of Sir *E.* and some others, thus to abuse a Gentleman far more Honourably descended than himself, and one concerned in the Government of *N. E.* before him, but (to his Eternal Renown) one who refused to *accept of an Illegal and Arbitrary Commission*, when in the Reign of the Late *K. James* it was offered to him.

We have now seen a whole Jury of complaints which concur in their Verdict against Sir *E. A.* and his Confederates. Were these things to be heard upon the place, where the Witnesses who gave in their *Affidavits* are resident, they would amount to legal proof, as to every particular which was by the *Agents of the Massachusetts Colony in N. E.* objected against Sir *E. A.* and others Seized and Secured by the people there.

Moreover there are other matters referring to Sir *E. A.* which caused great, and almost Universal Jealousie of him. For I. His Commission was such as would make any one believe that a Courtier in the time of the Late King *James* spoke true, who said Sir *E. A. was sent to New-England on purpose to be a Plague to the people there.* For he with three or four more, none of them chosen by the people, but rather by that *Implacable Enemy who prosecuted the Quo Warranto's against their Charters*, had power given them to make Laws, and raise what Moneys they should think meet for the support of their own Government, and he had power himself alone to send the best and most useful Men a Thousand Miles, (and further if he would) out of the Countrey, and to Build Cities and Castles (in the Air if he could) and demolish them again, and make the Purfes of the Poor people pay for it all. Such a Commission was an unsufferable grievance, and no
honest

honest Englishman would ever have accepted of it, or acted by it.

Secondly, Jealousies were augmented by his involving the Country in a War with the Indians, by means whereof he hath occasioned the Ruine of many Families and Plantations; yea the Death or Captivity of we know not how many Souls. *For he went (with the Rose Frigat,) and violently seized, and took and carried away, in a time of peace all the Household Goods and Merchandises of Monsieur Casteen a Frenchman at Penobscot who was Allied to the Indians having Married the Daughter of one of their Princes whom they call Sagamores or Sachems; and when this was done, it was easie to foresee, and was generally concluded that the French and Indians would soon be upon the English, as it quickly came to pass. After the Flame was kindled, and Barbarous Outrages committed by the Indians, Sir Edmund's managery was such as filled the Country with greater fears of an horrid design. For Bloody Indians whom the English had secured, were not only dismissed, but rather courted than punished by him.*

3. It cannot be exprest what just and amazing fears surprized the People of *New-England*, when they had notice of the Late *King James's* being in *France*, lest Sir *E. A.* whose Governour and Confident he was, should betray them into the Power of the *French King*, other circumstances concurring to strengthen these fears. The *Mohawks* and other Indians were in hostility against the *French*, and it was very advantagious to the English Interest to have it so, but Sir *E. caused them to make a Peace with the French*, whereby the French Interest in those parts was strengthened, and the English weakened. Mr. *Peter Reverdy* (a French Protestant) in his *Memoirs* concerning Sir *E. A.* complains of this.

After that Sir *E. A.* and his Complices were secured, such reports and informations came to hand, as made *New-England*

land admire the Divine Providence in accomplishing what was done against the late Oppressors. They then saw the persons from whom they suspected the greatest danger, were now incapable of betraying them.

If an unaccountable Instinct and Resolution had not animated the Inhabitants in and about *Boston*, to seize on those few men, the People there believe *N. E.* would have been in the hands not of *King William* but *King Lewis e're this day*: For in *Sept.* 1689, several Vessels belonging to *N. E.* were taken near *Cansir* in *America* by some French Men of War. The Prisoners since at liberty, inform, that the French told them, that there was a Fleet of Ships bound from *France* directly for *Boston* in *N. E.*, but some of them were taken by the *English* Ships of War, and three or four of them lost at *Newfoundland*, and that *Sir E. A.* had sent to the French King for them to come over, and the Countrey should be delivered up. And the Lieutenant of a Frenchman of War professed, that if *Sir E. A.* had not been imprisoned, they would then have gone to *Boston*. This shows what a good Opinion the French had of him, and such reports so testified made a strange impression on the spirits of the People throughout the Countrey: And that the World may see we do not write Fictions of our own, the subsequent *Affidavits* are produced and here inserted.

“ *John Langford* of *Salem* testifieth, That he being in the “ *Ketch Margaret* of *Salem*, *Daniel Gygles* Commander, they “ were taken by the French ships off *Tarbay* in *America*, “ near *Cansir* on *Tuesday* the 17th day of *September* last past, “ and being put on board the Admiral, *viz.* the *Lumbuscado*, “ and in the said Ship carried a Prisoner to *Port-Royal*, and “ then did hear several of the Company on board the said “ ship say, that they came directly from *France*, and that there “ was ten or twelve Sail of them Ships of War that came in “ company together, but some of them were taken upon the “ Coast

“ Coast of *France*, and some were loft since, and that they
 “ were all bound directly for *N. E.*, and that Sir *E. A.* late
 “ Governour of *N. E.* had sent to the French King for them
 “ to come over, and the Countrey should be delivered up
 “ into his hands, and that they expected that before they
 “ should arrive, it would have been delivered into the hands
 “ of the French.

“ *John Langford.*”

“ *Benjamin Majery* of *Salem*, *Ferfey-man*, also testifieth,
 “ that he being taken the same day, and at the same place in
 “ the *Ketch Diligence*, *Gilbert Peters* Commander; as is
 “ abovesaid in the evidence of *John Langford*, he heard the
 “ same related, by several of the company on board the other
 “ French Ship of War that was in company with the *Lum-*
 “ *buscado*; viz. *The Frugum*, so called, that there was ten
 “ Sail of them came out directly from *France* together; that
 “ Sir *E. A.* late Governour of *N. E.* had sent to the King
 “ of *France* for them to come over, and he would deliver the
 “ Countrey into their hands, and that they were bound
 “ directly for *Boston* in *N. E.* but had lost most of their Ships
 “ coming over.

The mark M of *Benjamin Majery.*

“ *John Langford* and *Benjamin Majery*, both made Oath
 “ to the truth of their respective Evidences in *Salem*, *No-*
 “ *vemb.* 23, 1689.

“ Before me, *John Hathorne*, assistant.”

“ *Joshua Conant* testifieth, That he being Commander of
 “ the *Ketch*, *Thomas* and *Mary* of *Salem*, he was taken by
 “ three French ships off from *Tarbay*, near *Cansir*, upon
 “ *Tuesday* the 17th of *September* last, two of which were Ships
 “ of

“ of War, the other a Merchant-man, and being put on board
 “ the Admiral, viz. the *Lumbuscado*, and therein carried to
 “ *Port-Royal* a Prisoner, Mr. *Mero* told me that the French
 “ on board told him, that there was ten Sail of them Ships of
 “ War came out in company together from *France*, and that
 “ they came directly from *France*, and were bound to *Boston*
 “ in *N. E.*, and that Sir *E. A.* had sent to the French King
 “ for them, and that the Countrey was to be delivered up
 “ into their hands; but having lost several of their Ships in
 “ their Voyage, and hearing that Sir *E. A.* was taken, and
 “ now in hold, should not proceed at present, but threatened
 “ what they would do the next Summer.

“ *Joshuah Conant.*

“ *Joshuah Conant* personally appeared before me, and made
 “ Oath to the truth of the abovefaid Evidence. *Salem, No-*
 “ *vemb.* the 23d, 1689.

“ *John Hathorne*, Assistant.

“ *Phillip Hilliard* of *Salem, Jersey-man*, testifieth, That he
 “ was taken by the French in a Ketch belonging to *Salem*;
 “ viz. *The Thomas and Mary*, *Joshua Conant* Commander off
 “ from *Torbay* near *Cansir*, this Autumn, *Septemb.* 17, and
 “ being carried on board the *Lumbuscado*, did on board the
 “ said Ship hear several of the company say, that there was
 “ about twelve Sail of them Ships of War, came out in com-
 “ pany together from *France*, and were bound directly for
 “ *Boston* in *N. E.*, and that Sir *E. A.*, the late Governour
 “ there had sent into *France* for them to come over.

The mark 8 of *Phillip Hilliard.*

“ *Phillip Hilliard* personally appeared before me, and made
 “ Oath to the truth of the abovefaid Evidence. *Salem, No-*
 “ *vemb.* the 23d, 1689.

“ *John Hathorne*, Assistant.”

“ *James*

“ *James Cocks* of *Salem*, *Mariner*, testifieth, That he was
 “ taken by the French in the Ketch *Margaret of Salem*,
 “ *Daniel Gygles* Commander, on *Tuesday* the 17th of *Septem-*
 “ *ber* last past, off from *Tarbay* near *Cansir*, by two French
 “ Ships of War, who had one Merchant-man in company
 “ with them, and he being carried on board their Admiral,
 “ viz. the *Lumbuscado*, he there met with a man he had known
 “ in *London*, one of the said Ships Company, who was a
 “ *Biscay* born, named *Peter Goit*, who told him that there
 “ was thirteen Ships of them came out of *France* in company
 “ together, and that they were bound directly for *Boston* in
 “ *New-England*, expecting that the Countrey was before, or
 “ would be at their coming delivered up to the King of
 “ *France*, and told him, before they could get clear of the
 “ Coast of *France*, several of their Ships were taken by the
 “ English Ships of War, and the rest of their Fleet taken or
 “ disperfed, and loft about *New-found-land*.

The mark S S of *James Cocks*.

“ *James Cocks* personally appeared before me, and made
 “ Oath to the truth of the abovesaid Evidence. *Salem*, *Nov.*
 “ 23d, 1689.

John Hathorne, Assiftant.

But as to one of the Crimes objected against Sir *E. A.*
 and his Complices, *Habemus confitentem reum*. Mr. *Palmer*
cannot deny but that they levied moneys on the King's Subjects
in New-England, contrary to the fundamentals of the English
Government, which doth not allow the imposition of Taxes
without a Parliament. The *New-Englanders* supposed that
 their late Oppressors had been guilty of no less than a capital
 Crime by their raising Money in such a way as they did;
 and

and we are assured that one of them after he received, and before he acted by vertue of his illegal Commission from the Late King, professed, that *if ever he had an hand in raising a penny of Money without an Assembly, his neck should go for it*; and yet no man that we know of had a deeper hand in it than this person had. But Mr. *Palmer*, for the justification of this so foul a business, lays down several Positions which he would have no man deny; One of his Positions is, *That it is a fundamental Point consented to by all Christian Nations, That the first discoverer of a Countrey inhabited by Infidels, gives a right and dominion of that Countrey to the Prince in whose service and employment the discoverers were sent.* These are his words, *p. 17.* We affirm, that this *fundamental Point* (as he calls it) is not a *Christian*, but an *unchristian Principle.* It is controverted among the School-men, and *omnium fundatur in gratia.* *Papists* are (as Mr. *Palmer* is) for the affirmative, but the *Scripture* teaches us to believe that גוֹיִם , the Heathen Nations, and the *Sons of Adam*, and not the *Children of Israel* only, have a right to the Earth, and to the Inheritance which God hath given them therein, *Deut.* 32. 8. When Mr. *Palmer* hath proved that *Infidels* are not the *Sons of Adam*, we shall consent to his notion, that *Christians* may invade their Rights, and take their Lands from them, and give them to whom they please, and that the *Pope* may give all *America* to the *King of Spain.* But let him know, that the first Planters in *New-England*, had more of conscience and the fear of God in them, than it seems Mr. *Palmer* hath. For they were not willing to *wrong the Indians in their Properties*; for which cause it was that they purchased from the Natives their right to the Soil in that part of the World, notwithstanding what right they had by vertue of their Charters from the Kings of *England.* Mr. *Palmer's* Position is clearly against *Jus Gentium & Jus Naturale*, which instructs every man *Nemini injuriam facere.* He

He that shall violently, and without any just cause take from Infidels their Lands, where they plant, and by which they subsist, does them manifest injury. And let us know of Mr. *Palmer*, if *Christian* Princes have power to dispose of the Lands belonging to *Infidels* in the *West-Indies*, whether they have the like Dominion over the Lands belonging to the *Infidels* in the *East-Indies*, and if these *Infidels* shall refuse to consent that such *Christians* shall possess their Lands, that then they may lawfully *Vi & Armis* expel or destroy them, as the *Spaniards* did! We may send Mr. *Palmer* for further instruction in this point to *Balaam's Ass*, which ingenuously acknowledged that her Master (though an Infidel) had a Property in, and right of Dominion over her, *Numb. 22. 30.* But this *Gentleman* hath some other *Affertions* which he would have us take for *postulata*, and then we shall be his *Slaves* without all peradventures. He tells us in page 17, 18, 19, that the *English Plantations* (in particular *New-England*) are no parts of the *Empire of England*, but like *Wales and Ireland*, which were *Conquered*, and belong to the *Dominion of the Crown of England*, and that therefore he that wears the *Crown*, may set up *Governments* over them, which are *Despotick and Absolute*, without any regard to *Magna Charta*, and that whereas in *Barbadoes, Jamaica, Virginia, &c.* they have their *Assemblies*, that 's only from the favour of the *Prince*, and not that they could pretend *Right* to such *Priviledges of Englishmen*.

And now we need no further *discovery of the man*. Could the people of *N. E.* who are zealous for *English Liberties* ever endure it long, that such a person as this should be made one of their *Judges*, that by squeezing of them, he might be able to pay his *Debts*? And can any rational man believe, that persons of such *Principles* did not *Tyrannize* over that people when once they had them in their cruel *Clutches*, and could pretend the authority of the late *King James* for what they

they did? in our opinion Mr. *Palmer* hath not done like a Wise man thus to expose himself to the just resentments and indignation of all the *English Plantations*. If ever it should be his chance to be amongst them again, what could he expect but to be looked on as *communis Hostis*, when he thus openly declares that they have no English Liberties belonging to them?—That worthy gentleman Sir *William Jones* (who was *Attorney General* in the Reign of King *Charles* the second) had certainly more understanding in the Law than Captain *Palmer*, and yet Captain *Palmer* (we suppose) is not ignorant that when some proposed, that *Jamaica* (and so the other Plantations) might be governed without an Assembly, that excellency *Attorney* (not like Captain *Palmer* but like an Englishman) told the then King, that he could no more grant a Commission to Levy Money on his Subjects there without their consent by an Assembly, than they could discharge themselves from their Allegiance to the English Crown; and what Englishmen in their right Wits will venture their Lives over the Seas to enlarge the Kings Dominions, and to enrich and greaten the English Nation, if all the reward they shall have for their cost and adventures shall be their being deprived of *English Liberties*, and in the same condition with the *Slaves* in *France* or in *Turky*! And if the Colonies of N. E. are not to be esteemed as parts of England, why then were the Quo Warranto's issued out against the Government in *Boston* as belonging to *Westminster* in *Middlesex*! Are the English there, like the *Welsh* and *Irish* a Conquered people? When Mr. *Palmer* hath proved that, he hath said something. They have (through the Mercy of God) obtained Conquests over many of their Enemies, both *Indians* and *French*, to the Enlargement of the English Dominions. But except Mr. *Palmer* and the rest of that Crew will say, That his and their domineering a while was a Conquest, they were never yet a Conquered People. So that his alledging the case
of

of *Wales* and *Ireland* before English Liberties were granted to them, is an impertinent Story. Besides, he forgets that there was an *Original Contract* between the King and the first Planters in *New-England*, the King promising them, if they at their own cost and charge would subdue a Wilderness, and enlarge his Dominions, they and their Posterity after them should enjoy such Priviledges as are in their Charters expressed, of which that of not having Taxes imposed on them without their own consent was one. Mr. *Palmer* and his *Brethren Oppressors* will readily reply, Their *Charter* was condemned. But he cannot think, that the Judgment against their Charter made them cease to be *Englishmen*. And only the Colony of the *Massachusetts* had their Charter condemned. And yet these Men ventured to Levy Moneys on the Kings Subjects in *Connecticott Colony*. For the which *Invasion of Liberty and Property* they can never answer. Indeed they say the Corporation of *Connecticut* surrendered their Charter. But who told them so? It is certain, that no one belonging to the Government there, knoweth of any such thing; and how their Oppressors should know that *Connecticott* made a Surrender of their Charter when the Persons concerned know nothing of it, is very strange. We can produce that written by the Secretary of that Colony with his own Hand, and also Signed by the present Governour there, which declares the contrary to what these Men (as untruly as boldly) affirm. Witness the words following,

“ In the Second year of the Reign of King *James* the
 “ Second we had a *Quo Warranto* served upon us by *Edward*
 “ *Randolph*, requiring our appearance before His Majesties
 “ Courts in *England*, and although the time of our appear-
 “ ance was elapsed before the serving of the said *Quo War-*
 “ *ranto*, yet we humbly petitioned His Majesty for his Favour,
 “ and the continuance of our Charter with the Priviledges
 “ thereof. But we received no other favour but a second *Quo*
 “ *Warranto*,

“ *Warranto*, and we well observing that the *Charter of*
 “ *London* and other considerable Cities in *England* were
 “ condemned, and that *the Charter of the Massachusetts* had
 “ undergone the like Fate, plainly saw what we might ex-
 “ pect, yet we not judging it good or lawful to be active in
 “ *surrendring what* had cost us so dear, nor to be altogether
 “ silent, we impowered an Attorney to appear on our behalf,
 “ and to present our Humble Addresss to His Majesty, but
 “ quickly upon it as Sir *E. A.* informed us, he was impowered
 “ by His Majesty to Receive *the Surrender of our Charter*,
 “ if we saw meet so to do and us also to take under his
 “ Government. Also, *Col. Thomas Dungan* His Majesties
 “ Governour of *New-York*, laboured to gain us over to his
 “ Government. We withstood all these motions, and in our
 “ reiterated Addressses, we Petitioned His Majesty to continue
 “ us in the free and full enjoyment of our Liberties and
 “ Properties, Civil and Sacred, according to our Charter.
 “ We also Petitioned that if His Majesty should not see
 “ meet to continue us as we were, but was resolved to annex
 “ us to some other Government; we then desired that in as
 “ much as *Boston* had been our old Correspondents, and a
 “ people whose Principles and Manners we had been ac-
 “ quainted with, we might rather be annexed to Sir *E. A.*
 “ his Government, than to Colonel *Dungans*, which choice
 “ of ours was taken for a resignation of our Charter, though
 “ that was never intended by us for such, nor had it the
 “ Formalities in Law to make it such. Yet Sir *E. A.* was
 “ Commissionated to take us under his Government, pursuant
 “ to which about the end of *October* 1687, he with a Company
 “ of *Gentlemen and Granadeers* to the number of Sixty or
 “ upwards came to *Hartford* the Chief Seat of this Govern-
 “ ment, caused his Commission to be read, and declared our
 “ Government to be dissolved, and put into Commission both
 “ Civil and Military Officers throughout our Colony as he
 “ pleased.

“pleased. When he passed through the principal parts
 “thereof, the good people of the Colony though they were
 “under a great sence of the injuries sustained thereby, yet
 “chose rather to be silent and patient than to oppose, being
 “indeed surpris'd into an *involuntary submission* to an Arbitrary Power.

“*Hartford, June*
 13, 1689.

Robert Treat, Governour.
John Allen, Secretary.”³⁸

Thus did Sir *E. A.* and his Creatures, who were deeply concerned in the Illegal Actions of the Late Unhappy Reigns, contrary to the Laws of God and Men, commit a Rape on a whole Colony; for which Violence it is hoped they may account, and make reparation (if possible) to those many whose Properties as well as Liberties have been Invaded by them.

Captain *Palmer* in the clofe of his *partial account of N. E.* entertains his Readers with an *harangue* about the *Sin of Rebellion*, and misapplies several Scriptures that so he might make the World believe that the people of *N. E.* have been guilty of wicked *Rebellion* by their casting off the Arbitrary Power of those ill men who invaded Liberty and Property to such an intolerable degree as hath been proved against them. But does he in sober sadness think, that if when Wolves are got among Sheep in a Wilderness, the Shepherds and Principal men there shall keep them from Ravening, that this is the Sin of Rebellion condemned in the Scripture? How or by whose Authority our *Lawyer* comes to play the *Divine* we know not. But since he hath thought meet to take a Spiritual Weapon into his hand, let him know that the
 Scripture

³⁸ This is taken from the Humble Address of the Governor and Colony of Connecticut to King William, which is printed in full in TRUMBULL'S Colonial Records, iii. 463-6.

Scripture speaks of a lawful and good *Rebellion*, as well as of that which is unlawful. It is said of good *Hezekiah* that he *Rebelled against the King of Assyria and served him not*, 2 Kings 18. 7. Indeed reviling *Rabshakeh* upbraided him, and said as in *verse 20*, *thou Rebellest* (not unlike to Captain *Palmer*) saying to *N. E.* *thou rebellest*. *Hezekiah's* predeceffours had basely given away the Liberties of the people, and submitted to the *Arbitrary Power* of the *Assyrians*, and therefore *Hezekiah* did like a worthy Prince in casting off a Tyrannical Government, and asserting the Liberty of them that were the Lords People, and God did signally own and prosper him in what he did, and would never permit the *Assyrian* to regain his Tyrannical Power over *Jerusalem* or the Land of *Judah*, though for their tryal he permitted their Enemies to make some Devastations among them. The like (we hope) may be the happy case of *New-England*. Mr. *Palmer* tells us that *N. E.* *hath valued itself for the true profession and pure exercise of the Protestant Religion*, but he intimates that they will be termed a *Land full of Hypocrisie and Rebellion, Irreligion, and a degenerate wicked people*, p. 39. And is this the *Sincerity and Christian Moderation* which he boasts himself of in his Preface? Surely these are the *Hissings of the Old Serpent*, and do sufficiently indicate whose Children the men are that use them. Since he will be at Divinity, let him (if he can) read the *Apologies* written by *Justin Martyr* and *Tertullian*, and there see if *Pagans* did not accuse *Christians* of Old, just after the same manner, and with the same Crimes that he wickedly upbraids that Good and Loyal People with. Who are they that use to call the Holiest and most Conscientious men in the world *Hypocrites, Liars, Rebels, and what not?* but they that are themselves the greatest *Hypocrites, Liars, and Rebels*
against

againſt Heaven that the Earth does bear? It is hard to believe that Captain *Palmer* does not rebel againſt the light of his own Conſcience, when he affirms as in Page (38,) that in *N. E.* every thing that hath any relations to their *Majeſties* is neglected, and unregarded without any recognition of their Authority over thoſe dominions. He cannot be ignorant of the humble *Addreſſes* which the people in *N. E.* have from time to time made to their preſent *Majeſties*, acknowledging their Authority. He knows that on the firſt notice of their *Majeſties* being proclaimed *King* and *Queen* in *England*, both thoſe now in Government in *N. E.* and the body of the people with them, did (without any command) of their own accord, with the greateſt Joy proclaim their *Majeſties* in *N. E.* He knows that their *Majeſties* have no ſubjects more cordially and zealouſly devoted to them than thoſe in *N. E.* are, or that do with greater fervour pray for their long and happy Reigns, or that are more willing to expoſe themſelves to the utmoſt hazards in their ſervice, and yet this man that knoweth all this, to caſt an *Odium* on that Loyal and Good people, inſinuates as if they were *Rebels*, and *diſaffected* to the Preſent Government, and deſigned to ſet up an *Independant Common Wealth*, and had *no regard to the Laws of God or Men*. After this lying and malicious rate hath he expreſſed himſelf. What Rational Charity can be extended ſo far as to believe that 'tis poſſible for him to think that what himſelf hath written is true? When *Sanballat* wrote that *Nehemiah* and the Jews with him *intended to Rebel*, did he believe what he had written? no, he did not, but *feigned thoſe things out of his own heart*. The like is to be ſaid of thoſe *Sanballats* that accuſe the people of *N. E.* with thoughts of Rebellion. And ſo we have done with Mr. *Palmer*. What hath been ſaid is ſufficient to *juſtify* the *Revolution*

Revolution in *N. E.*, and to *vindicate the People* there from the *Aspersions* cast upon them by their *Enemies*. Several *Worthy Gentlemen* have under their hands given an account concerning some of *Sir Edmund's Arbitrary proceedings*, which is subscribed by five (and more would have concurred with them had there been time to have communicated it) of those who were of *Sir Edmunds Council* during his *Government* there, and for that cause their complaints carry the more weight with them, which shall therefore as a *Conclusion* be here subjoined.





R E A D E R ,

THERE is such Notoriety as to Matter of Fact in the preceding Relation, that they who Live in New-England are satisfy'd concerning the Particulars contained therein. If any in England should Hesitate, they may please to understand that Mr. Elisha Cook, and Mr. Thomas Oakes (who were the last Year sent from Boston to appear as Agents in behalf of the Massachusetts Colony) have by them Attested Copies of the Affidavits (at least-wise of most of them) which are in this Vindication published, and are ready (if occasion serve) to produce them.

F I N I S .



A
NARRATIVE
OF
The Proceedings
OF
Sir Edmond Andross
and his Complices,
Who Acted by an Illegal and Arbitrary Com-
mission from the Late K. *JAMES*, during
his Government in
New England.

By several Gentlemen who were of his Council.

Printed in the Year 1691.





TO THE
R E A D E R .

THE Particulars mentioned in the ensuing Narrative, are but a small part of the Grievances justly complained of by the People in New England, during their three years Oppression under Sir E. A. For a more full Account, the Reader is referred to the Justification of the Revolution in New England, where every particular exhibited against Sir Ed. and his Complices, by the Agents lately sent to England, is by the Affidavits of honest men confirmed. If some men find themselves thereby exposed to the just Resentments and Indignation of all true Christians, or true English-men, they must thank themselves for publishing such untrue Accounts as that which goes under the name of Captain John Palmers, and that scandalous Pamphlet called N. E.'s Faction discovered, supposed to be written by an Implacable Enemy of all good men, and a person that for Impudence and Lying has few Equals in the World. This which follows, being signed by several Gentlemen of great Integrity, who likewise had a particular knowledge of the things by them related, is therefore of unquestionable Credit. The Design in making of it thus publick, is to vindicate Their Majesties Loyal Subjects in New-England, and to give a true Representation of things unto those who have by false Relations been imposed on.

B. N. E. Feb. 4, 169^o.

[³⁹ NOTE.—As the great fees charged by Andros and his officers were a prominent charge against them, we give such items relating to the subject as we have found on the Council Records. On the 4th May, 1637, Randolph presented a paper of fees for his office, which was referred to Wharton, Usher, Gedney, Lathrop, and Nath. Clark, to examine and report what were fit to be allowed. On May 25, Randolph's account of fees was approved and allowed, being as we presume, the schedule he had prepared. On the 3d September, 1637, Dudley, Stoughton, Mason, Usher and Randolph, with West, were appointed to regulate and settle all fees of Courts, Offices and Officers, through the Dominion, and report the same; but the Records of the Council close very soon after this date.

We find, however, that June 1, 1636, the Council, under the Presidency of Dudley, had settled upon the following rates:

“Ordered, That the Fees to be paid in all Tryalls and Issues at Law do in no case pass the following prizes:

“In the Tryalls of small cases.

	£. s. d.		£. s. d.
For an attachment or summons	1 0	For an execution	2 0
“ a subpoena to summon witnesses,	3	“ affidavits out of court	1
“ Entrance,	3 4	“ acknowg: of Deeds and	
“ filing the papers, each	2	“ other instruments,	2 6
“ confessing judgement	6	If the Deed be over £100	5 0
“ Judgement entering	1 0		

“In Tryalls of the County Courts.

	s. d.		s. d.
“ For stamping the writs in Sec'y's office	0 4	For License to keep publique houses	5 0
“ attachment if above £100	2 0	“ judgement	2 0
“ the Juries for every verdict	6 0	“ executions	2 6
“ Entrance of the Action	10 0	“ Probate of a Will and Adm'n,	
“ Confessing Judgement	2 0	“ Copies of a will, Attest'n	
“ add'l entrance of Judg't if above £20,	10 0	“ & Inventory	6 0
		If the estate be above £200,	7 0

“In the Appeals before the President and Council.

	£. s. d.		£. s. d.
For entrance	1 0 0	For serving of a Replevin	1 6
“ judgement	5 0	“ release of a Fellow	1 6
“ serving execution, customary fees		besides accustomed Fees for Travell	
“ return of a Proclamation	1 0	The Keeper's Fees in all causes are as accustomed.	

“For Coroner's Fees.

“For the Inquisition of untimely death, and of goods of the deceased, £1 0 0 besides allowance for Travell.

“And where no goods, from the country, 13 4”]



HAVING Received from Mr. *Addington* by order of the *Council and Representatives of the Massachusetts Colony* a signification of their desire; That whereas we were Members of the Late Council in the time of Sir *Edmund Androsses Government*, we would give some Information of the *Grievances and Mal-administrations* under the same. Upon consideration had thereof, and in answer thereto, we cannot but own and declare, that *not only ourselves and many others in the same station* (not now present to joyn with us) were of a long time much *dissatisfied and discouraged with very many of the Proceedings and Administrations in the said Government*; and had little reason to wonder that so great a number of the People were so too. It might well have been expected that the Governour (not so successful heretofore) notwithstanding the extraordinariness (to say no more) of many Clauses and Powers in his Commission; yea the rather and the more, because thereof would have cautioned and moderated the Execution of the same: But to our Great Trouble we found it very much otherwise. Many were the things that were accounted Irregular and Grievous therein, far from conducing to the Publick Weal of the Territory, and not a little to the disservice of the Crown, as tending rather to the disturbing and disaffecting of the Subjects here, than to the furtherance of that chearful Obedience, Loyalty, Love and Duty in them, which ought by all good means, to have been
nourished

nourished and promoted. And of all this unhappinefs, we muft reckon the firft ftep and in-let to be, that *the Governour did* fo quickly neglect the great number of the Council, and chiefly adhere unto and Govern by the advice only of a few others, the principal of them Strangers to the Countrey, without Eftates or Intereft therein to oblige them, perfons of known and declared Prejudices againft us, and that had plainly laid their chiefeft Defigns and Hopes to make unreafonable profit of this poor People. Innumerable were the evil Effects that from hence were continually growing up amongst us; *The Debates in Council were not fo free as ought to have been*, but too much over-ruled, and a great deal of harfhnefs continually expreffed againft Perfons and Opinions that did not please. *The Greatest Rigour and Scverity was too often used towards the foberest fort of People*, when any thing could be found or pretended againft them, their humble fubmiffions were little regarded, and *incororable Perfecutions ordered againft them*, whilst in the mean time *the notorious viciousnefs and profaneuefs of others met not with the like difcountenance*, but perfons of fuch a character were put into places of bufinefs and trust. The long fettled maintenance of the Publick Miniftry, even from thofe that applied themfelves to no other way of Worfhip, but continued ordinary hearers, could not be upheld by any act of Authority providing for the fame, and Schools of Learning fo well taken care of formerly, were in moft cafes fallen to decay, and many more fuch like might be reckoned up. But we fhall more efpecially inftance further in the particulars following, as not the leaft.

1. *And firft*; It was as we thought a great flight put upon the Council, and to the prejudice of the good People of the Territory, That whereas at the Governours firft coming a Committee appointed thereunto by himfelf, and a full Council had with great care and feveral weeks trouble revifed a

very

very considerable number of Orders and Laws collected out of the several Law-Books of these Colonies found by long experience very needful and agreeable to the good of these Plantations, which Laws so Collected and Revised, were again presented unto, and upon further advisement approved by the Governour and Council and passed. Yet upon the introducing Mr. *West* from *New-York* to be Deputy Secretary, they were, for what causes we know not, totally laid aside, and the People denied the benefit of them. And this Grievance was so much the greater, and a plainer Indication of the severity of some men in their Intended Management of things, because on good deliberation they had also passed an Order of Council, That until the Council should take further order, the several Justices, Town-Officers, and others should proceed according to former Usages, and such Local Laws in the several parts of this Dominion, as are not repugnant to the Laws of *England, &c.* Yet because by virtue of the said Order some in Authority have proceeded to put forth their power for the support of the Ministry, and some others did justify themselves in some actions done by them that were not pleasing; hereupon when a discourse only, and some debate thereof had passed in Council, but *without any regular determination made*, and contrary to the express word of the said Order, *it was Entred in the Council-Book* concerning it, resolved that the same was only in Force till the next Session of the Council, and so determined as null of it self, and that none presume to act pursuant to such Laws as are or shall be made here.

2. *Whereas* the Act for the Continuing and Establishing of several Rates, Duties and Imposts, was one of the first of so great Moment that came out in Form under the Seal of the Territory, and was publicly proclaimed, we that were present have great cause to remember what trouble and dissatisfaction

dissatisfaction there was among the Members of the Council concerning the same. As that Act was framed and urged upon us, *a very considerable number (and we believe we were the Major part) dissented from and argued much against it.* And tho' the Governor expressed not a little heat and positiveness alledging his instructions, and held the Council together, unreasonably a very long time about it. Yet when we did at last break up we could not imagine that he could take the Bill to be agreed to; *Nevertheless it was the next day (to our wonderment) brought in fairly Engrossed in Parchment, and quickly Signed by the Governour without any counting of Voices* either then or the day before, which was the more needful because some did continue still to make their objections, others that had spoken against the Bill the day before, declaring their adherence to what they had then said; and many more under so great discouragement and discountenance, as was manifested sitting silent, which we are sure in the regular passing of Laws can never be reckoned for a consent.

3. *The Way and Manner used afterwards of proposing and passing all Laws was very uncertain and unequal, not answerable to the Nature of so great a Power, nor to the largeness of the Territory that was to be obliged by them, or to the Number of the Concellors appointed therein; for after a little while there were no set times appointed or given notice of for the making of Laws, that so the Members of the Council might attend in a fuller number to be helpful therein. Bills of the greatest concernment were usually first consulted and framed in private, and so unexpectedly brought into Council at any time, and then our work too was often under great disadvantages, not to advise freely and consult about the making of a Law thought necessary, but to maintain a Contest in opposition to a very inconvenient one, too far promoted*

promoted and engaged in already; and above all, *there was never any fair way of taking and counting the number of the Councillors consenting and dissenting*, that so the Majority might be known in any matter that admitted of any considerable reasonings and debates, by reason whereof both Laws and other Orders and Resolutions might be set down as passed by the Council, which ought not to have been. And when it hath been (as often it was) expressly and earnestly prayed when matters of greater moment than ordinary were in hand, that the Debate and Resolution of them might be put off till a fuller Council of Members from other several parts of the Dominion might be Convened such motions were ever disaccepted, and entertained with no little displacency; *so that it might be too truly affirmed, that in effect four or five persons, and those not so favourably inclined and disposed as were to be wished for, bear the Rule over, and gave Law to a Territory the largest and most considerable of any belonging to the Dominion of the Crown.*

4. *In pursuance* of this way and manner of passing Laws above expressed, there were two in special that came forth, which we are sure in fuller and freer Councils would have had a full stop put to them; *viz. First*, The Act for Regulating the Choice of select Men, &c. wherein the Liberty of Towns to meet for the management of their Publick Affairs referring to their Common Lands, and all other their concernments, which they had enjoyed for so many years, to their great benefit, was most unreasonably restrained to once a year, and all other Convening of inhabitants as a Town Meeting, upon any pretence or colour whatsoever, was strictly forbidden: And the other Act was that intituled, An Act requiring all Masters of Ships or Vessels to give security, in which there were such restraints laid upon all persons from Transporting themselves freely (as their occasion might call

out

out of the Territory, That it would have been a meer Prison to all that should be found therein, and such Bond required of all Ships and Vessels (extending in the practice even to Shallops and Wood-Boats) as would quickly have intolerably discouraged, if not ruined the Trade thereof; and all without any other ordinary general benefit of the said Act, but the filling some mens Pockets with Fees: And (as it might be thought from the time of moving this Act, which was when Captain *Hutchinson* was already gone, and Mr. *Mather* was known to be intending for England) *the obstructing of such mens going home as were likely there to make just Complaints, and seek Redress of Publick Grievances*; and when this act had been strenuously opposed in council here at *Boston*, where it was more than once vehemently urged, and as often denied, *it was carried as far as New York, and there an opportunity found for the obtaining of it.*

5. The great matter of Properties and Titles to our Lands is the next to be insisted on, His Majesty that granted the Charter did fully invest the Patentees with Right to the Soil throughout the whole Limits thereof, and here on the place, the Right of the Natives was honestly purchased from them. The Disposal, Distribution, and Granting of Lands by the Patentees, who were also incorporated, and made a Body Politick, was in such a plain, ready, easie way, without any charge to the Planters, as in the Settlement of so large a Country was thought to be most agreeable: And so much of a publick spirit and design were those Noble Gentlemen, that (though well they might) they settled not one single Penny of service or acknowledgment to themselves and Heirs of any of their Grants, a thing so self-denying and worthy, that few Instances can be given of the like. All which notwithstanding, and the Possessions, Descents and Valuable Purchases of so many years that have passed since, *the Governour*

ernour and those he adhered to, resolved and practised to make all mens Titles in effect quite null and void. The purchasing of the Natives Right, was made nothing of, and next to a Ridicule. The Enjoyment and Improvement of Lands not inclosed, and especially if lying in common amongst many was denied to be possession; it was not enough that some men that thought it convenient, and were both willing and able, did take Confirmations of their Lands, the numbers of whom in time might have been a considerable gain to them; but *nothing would satisfie unless all in general might be compelled so to do; hence those that refused were declared Intruders upon His Majesty, and put in fear of having their Lands granted unto strangers.* Many were Solicited, and Encouraged to Petition for other mens Lands, and had a shameful Example set them by some of the chief Contrivers of all this Mischief. *When some men have Petitioned for a confirmation of their own Lands, a part of these only was offered to be granted to them, and another part denied.* Nor could any mans own Land be confirmed to him, without a particular Survey of every part and parcel of them first made, the great charges whereof, and of other Fees to be taken would have been to most men Insupportable: *Yea it hath by some been computed that all the money in the Country would not suffice to patent the Lands therein contained.*

And yet further, a considerable quit-rent to the King was to be Imposed upon all Lands, though already a constant yearly Tax for the support of the Government had been laid on them.

And for all this most unreasonable vexation to a Laborious and Industrious people, the only Ground pretended was some defects and wants of form and due manner alledged to be in the way of the disposing and conveying of all Lands from the Patentees to the Townships and People here; which
whatever

whatever it amounted to might have been easily remedied, either by an application and representation to the King for the obtaining a General settlement of all properties (which would have been highly Worthy and Generous for the Governour to have engaged in, on behalf of the People) or by some other ways that were proposed. But nothing but the way of particular Patenting as abovesaid could prevail. In prosecution whereof all Actions intended upon Informations of Intrusions in His Majesties behalf, or between old Proprietors and new Grantees must have had their Decision at the Ordinary Courts of Common Law here upon the Place where matters of Equity and of a Consideration Transcending all ordinary Cases could not have a proper Cognizance and due Influence in the Decision, Determination and Judgment.

6. *Though* sufficient Courts of Justice were appointed, and held in the several Counties for the Tryal of all Offenders, yet it was too frequent upon more particular displeasure to fetch up persons from very remote Counties before the Governour and Council at Boston (who were the highest, and a constant Court of Record and Judicature) not to receive their tryal but only to be examined there, and so remitted to an Inferior Court to be farther proceeded against. *The Grievance of which Court was exceeding great*, for hereby not only the Charge was made Excessive upon such persons by the notorious exactions of the Messenger, the Secretaries Fees for Examination, &c. But these Examinations themselves were unreasonably strict, and rigorous and very unduely ensnaring to plain unexperienced men. *And* the Tryals of several, were by this means over-ruled to be at Boston, and not in the proper Counties, and were otherwise so far prejudged as to be rendered less equal.

The Extraordinary Oppressive Fees taken in all matters by indigent and exacting Officers, these were at the first for a long time arbitrarily imposed and required without any colour of an Establishment of them by the Council. Afterwards a Committee was appointed, to bring in a Table of Fees, that spent a long time without finishing any thing, the reason whereof was because some therein especially the Deputy Secretary West, insisted upon Fees much more extraordinary than some others could consent to. In conclusion; There was a Table of Fees drawn up to be presented to the Council, and signed by some of the Committee, one of whom, (whose Subscription is to this Paper) declaring expressly, that by his Signing he did no otherwise agree, but only that it might be presented to the Council, to do therein as they should see cause, who also when it was so presented to the Council, declared that many of the particulars in that Table contained, were unreasonable, and ought to be abated, and of this mind were many others. But the Entry after the usual manner was an approbation thereof.

Lastly. As to those Great Jealousies and Suspicions of Sinister Designs in the Governour as to our Troubles by the Indians, we have to say, That although divers things too uncertain, if not untrue have been too easily reported and spread concerning him, a practice which some of us have formerly with no little prejudice to ourselves discountenanced and borne Testimony against; yet there have not wanted some other particulars that might give too great a ground for the same. The principal of them (as far as we have any knowledge of things of that kind,) are these.

The Governours Seizing and Taking away the Goods of Monsieur St. Castine of Penopscot, the Summer before the War broke forth, which thing hath been esteemed not a little to have stirred up and furthered the succeeding Troubles.
The

The Governours not hastening his Return to *Boston* when these Troubles were actually begun, but lengthening out his Tarrience in places so remote till the Hostility of the *Indians*, and the great Mischiefs thereof were too far advanced. That during his absence he was not pleased sufficiently to impower and instruct any to act things necessary for the safety of the out Plantations and the Prosecution and Suppression of the Enemy, tho' he had speedy and true Accounts from time to time sent him of all that happened. That all that was done to this purpose in a case of such necessity, either by the Lieutenant Governour, or by the Justices of the Peace, and Military Officers in many places, by securing and disarming of Neighbouring *Indians*, setting up Warding and Watching, Garrisoning several houses for the security of the Inhabitants, especially the Women and Children, in case of sudden Inroads and Surprizings that might be, sending some relief of men to some places that were most in danger, and also what was done by those Members of the Council that were at *Boston* in conjunction with the Commander in chief left in the Fort there, who raised and sent some Forces to *Casco-Bay*, where greatest harms were done. We say, that all that was thus done, was so extremely disapproved of by the Governour upon his Return back from *Albany* and *New-York*, and an unaccountable displeasure manifested against all persons that had so acted, and that he was ready to call them to an account as high Offenders for the same, and refused a long time, tho' much solicited, to give any Order concerning the Souldiers sent to *Casco*, either for the continuance of them there, where they were very necessary, or for their dimission home. Unto all which may be added the Governours sending Messengers both *John Smith* the Quaker from *Albany*, and soon after Major *Macgregory* to *Keybeck* upon such Errands and Business as were not communicated and laid open to the Council. And further, *his Release and setting*

ting at liberty sundry Indians that were in hold, some of them known Enemies to the English, and particularly objected against by severall of the Council, and that without any exchange of our English Captives then in the Enemies hands.

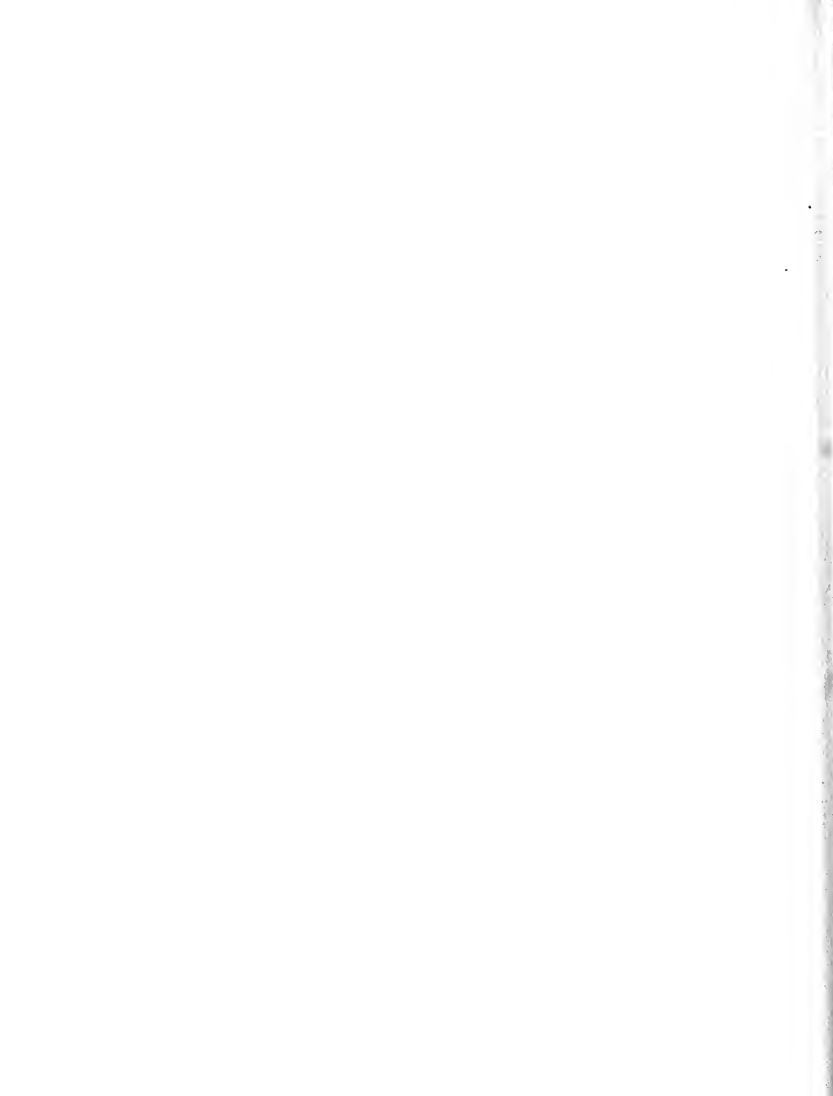
These are the chief Matters which upon this occasion (without any undue Prejudice against any man, or design to justify the defects of ourselves in the performance of our own shares of duty, but in answer to the desire signified to us as above) we have to set forth, professing truly that by such a state of things as we had the experience and feeling of, The Places that we held were rendred exceeding uneasie to us, and that out of a sincere respect to the Prosperity of these Their Majesties Plantations, we could not but be very desirous that through the Favour of God and our Superiors, all due Redress might in a good happy season be obtained; and the way of Governing *English* Subjects in Their Majesties Dominions without an Assembly of the Peoples Representatives banished out of a World for ever.

*Boston in New-England,
Jan. 27. 1690.*

*William Stoughton,
Thomas Hinckley,
Wait Winthrop,
Barthol. Gedney,
Samuel Shrimpton.*

F I N I S.







Charges Against Andros and Others.

From Massachusetts Archives, Inter-Charter Papers, xxv : 255.



THE following list of charges is of interest, as enabling us in some measure to judge of the value of the evidence selected for publication in the preceding pamphlet. Undoubtedly the strongest evidence was selected for public presentation, and an examination of what was reserved will convince us that little was omitted that could have proved of service to the Colonists.

As we have already mentioned, (*ante*, p. 79, note,) this Catalogue was doubtless the work of the Committee of Seven, appointed in December, 1689, to collect evidence. These were THOMAS DANFORTH, WAIT WINTHROP, JOHN RICHARDS, ELISHA COOKE, THOMAS BROUGHTON, JOSEPH LYNDE and CHRISTOPHER WEBB, to whom we may fairly give the credit of great industry in collecting all the fables as well as the truths against Andros's administration.

1. N. A. S^r Edmund Andros K^t & late Governor.
2. B. Joseph Dudley Esq^r & sometime President.
3. C. Edward Randolph, Esq^r.
4. D. John West, Deputy Secretary.
5. E. John Palmer, Judge.
6. F. James Grayham, Kings Attourney.
7. G. George Fairwell, Kings Attourney.
8. H. James Shurlock, high Sheriff.
- I. Rose Friggot officers } Cap^t. Jn^o George.
 } Lt^t. David Condon. &c.
- K. Lt. Coll : Patrick Magregory.
- L. Lt. John Johnson.
- M. Cap^t. Locker.
- N. Mr. Hamiton.
- O. Lt. James Wemms. & other Memorandums.

SIR EDMUND ANDROS, *Late Governour, matter against him by*

I. N. A.

1. Mr. John Wife minister, John Andrews senr., Robt. Kinsman, Wm : Goodhew Junr., Tho : French. These prove their damage for their being unwilling for Sir Edmund Andros rayfeing mony on the people without the consent of the people, but Improved upon Contrary to Magna Carta.
 6. Tho : Patch : about illegall and excessife charges, (in file G.)
 9. Jos : Quilter : about excessife charges in proveing a will, (in file D.)
 10. Samuel Howlet : about sending him to Prifon without a mittimus and great charges.
 13. Jos : Wood : about threatning to hang him, &c.
 14. ² David Foulton : & Tho : Clark : about the Cruelty of Sir Edmunds officers to Souldiers Eastward.
 15. John Dresser : about his great suffering in the Ipswich busines.
 17. John Hovie : about his suffering for he knew not what.
 16. John Wood : about his suffering for being against paying Rates without an Asssembly.
 23. John Sibley about his fine before the Council.
 24. ² John Higgefon, minister & Capt : Step : Seawall about Sir Edmund Andros his affirming that all the lands in New England were the Kings and not the peoples, &c.
 25. Wm : Bond, Esq : about an Indian said to have received a Ring from Sir Edmund Andros which Indian was a known enemie to the English, &c.
 26. ⁶ Thomas Brown & 5 more of Sudbury : about John James, Indians' saying of his owne voluntary minde that the Governour was a rogue and had hired the Indians to kill the English, and in particular had hired Wahawhy (the English bitter enemie) and had given him a Ring for his Commission, which Enemie Indian was afterwards Imprisoned by the English ; and set at Liberty by Sir Edmund Andros and became a bitter enemie to the English, and was a Commander of a great partie that did fight against the English and kill some.
- Also No. 64.
28. ² John Langford & Ben : Majery, sweare that severall French men on board a French man of warr Eastward said that there were 10 french men of warr come out of France to come to Boston in New England to take the Country in possession for the King of France and that Sir Edmund Andros had sent for them to that end &c.
 29. Joshua

29. Joshua Conant : to dito purpose &c.
30. Phillip Hilliard : to dito thing.
31. ³ Tho : Atchinson : Ja : Cooke & Michaell Chappleman, about the Frenchs coming here.
33. Sir Edmund Andros : his Arbitrary Commiffion.
32. ⁷ Sam : Wright & 6 men more, about Sir Edmund Andros how he bid his Sergeant when they went upon the long march, to kill them Souldiers that were not able, or unwilling to tr[avel].]
- [3] 4. Sir Edmund Andros his &c : Act for Rayfeing mony by Rate, duties, and Impoit, on the [people ?] without their Representatives Consent.
35. An Act for Masters of Ships not to carry off perfons without a ticket, and about their often entring into bonds, &c.
37. ² Watanum & David (Two Indians) fwear about Sir Edmund Andros that he gave the Mohocks two bushells of wompum Peague, and three cart loads of goods to Ingage them to fight againft the Englifh.
38. Edw : Randolpchs letter to Povey informing that Sir Edmund doth all he cann to bring the people to quitt Rent.
41. ² Henry Kerly & Tho : How : about their being threatned to be hanged if &c : when they were keeping watch againft the Indians, Soone after the Indians had killed 5 Englifh.
42. Lenox Beverly his depofition againft Sir Edmund Andros entertaineing four enimie Indians in the Englifh Fourt two dayes and fending them away with powder and bullets, in the time of warr, and that when the Indians wanted it Extreamly.
109 is anothr.
☞ Ye like in 109.
45. Nath : Saltonftal Esq : his oath about illegall proceedings againft him without a caufe.
47. Wm. Hutchins his oath about Sir Edmund Andros illegall proceedings & Intollerable fineing him and exceffive charges.
48. ² Emmerfon & Whitaker, their depofition about Sir Edmund Andros his Millitary officers unhumaine deftroying of fouldiers that were here Imprefst.
51. His warrant in Councill to Confine Major Appleton to the common prifon and that without any crime done by him, a moft hellifh way to undoe men.
52. ² Tho : French and John Harris, their letter about the Ipswich mens voating, againft Sir Edmunds Rayfeing mony contrary to the liberty of Free born Englifh Subjects.
53. The Towne of Lynns Complaynt againft Sir Edmund, &c.
7. Simon Stacy : about his being illegally dealt withall. (In file B.)

55. ⁴ | David Foulton, Jos: Breden, Zac: Mash, & William Wormwood, about Lt: Coll: Magregory one of Sir Edmunds officers. (In file K.)
58. ² | Henry Teuxbury, Wm: Smith, Eph: Osbourn, about the more then ordinary Inhumanity of Capt: Jno: Jourdan to one of his Souldiers.
59. | Ifaac Prince: about Capt. Geo: Lockers being the cause of the death of two of his souldiers by inhumaine usage.
63. ³ | Joseph & Mary Graves & Jno: Rutter about Solomon Thomas an Indian, saying that the French and Irish, would come to Boston and destroy it first, and that Sir Edmund gave him a booke with the picture of the Virgin Mary, and told him that all that would not be of the Governours Religion, and own that Booke should be killed.
64. ⁵ | Tho: Brown, John Goodenow. Jno: Grout, Jacob More, Jona: Stannup, Jno: Parmeter, about John James an Indian, who said the Governour was a Rogue and had hired the Indians to kill the English men and in particuler had hired Wahawhy.
& Tho: Brown & Jno: Goodenow, about their very ill treatment by Sir Edmund Andros when they brought the Indian before him.
65. | Ifaac Miller and Peter Plimpton, about their Suffering much so that some died at Peniquid, for want, and yet Sir Edmund Andros sent some provisions then to Casteen a French man that was our enemy. (there is one in B: of this No.)
67. | Major Appletons Complaint, about his being greatly abused against law &c.
Nota. He made James Sherlock High Sheriff contrary to Law as in 27 Eliza: 1 Sec: 8, he haveing no land in the County, and being exceeding poore.
68. | Timo: Phillips Constable a notable complaint how he suffered & was threatened for doeing his office &c: by Sir Edmund and his Creatures & he discouraged and they Incouraged.
98. ⁷ | Selectmen of Boston viz. Capt. Turell, Capt. Prout & Lt. Willis, being sent for by Sir Edmund he discoursed them about John Usher Treasurer his warrant for making of Rates the said select men questioning the legality thereof, but Judge Dudley being there he undertooke to argue the legality of said warrant and after some time the said Governour Andros bid the said selectmen make the Rates upon their P[er?]jill, this was at Mr. John Ushers house on a Saturday evening.
85. | In Charlestown papers Sir Edmunds warrant to the Constable and Selectmen of Charlestown to give notice to the people about their land, which he afterwards gave away to others by pattents, and would not give it to the owners thereof although they petitioned for it.
70. | Captain Jos: Lynes: about his shewing his deeds of Land (by purchase of the Indians and grant of the General Court) to Sir Edmund, and his saying they were no more worth then a scratch with a beares paw, and that he must patten them if he would keep them, and that said Sir Edmund gave away his neighbors lands to Mr. Charles Lidget, and
about

about a writt of Intrusion, served upon him for posseffing his owne lands, and was fourced to give £3 to have the action lett fall, and to petition for pattents for his own lands or they would have been given to others &c.

74. Sam : Eldreds about the Indian saying that the Governour viz. Sir Edmund Andros dare not disarme them, for that the Governour had more love for them, the Indians, then for his Majesties Subjects the English.
75. [¶] The Reverend John Wile and 5 more of Ipswich their Complaint of being damnified £1000: most wickedly and without and contrary to all Law Reason and Equity, and that Sir Edmund called the people of the Countrey Jacks and Toms, speaking that he and his Crew had the Immediate dispose of our fortunes.
76. The Selectmen of the Town of Salisburys Complaint [of?] ill things suffered to be done. (in file B.)

82. Esqr. Randolph in his letter to Mr. John Povey dated August 25, 1687, there complains that Jno : West his Deputy (who by the Exceeding importunity of Sir Edmund Andros hired the place of him) took what fees he pleased to demand and thereby twould make his place worth £1000 a yeare, and that by reason Sir Edmund Andros [who had?] fetled them fees thereby holding fourth as if they two were agreed to cheat the people, ath [] in file D.

Q. Why he burnt his papers Just before he Surrendred himselfe and what they were.

84. Nath : Addams Constables Complaint to Sir Edmund of two Ryots, in Charlestown how he was stabbed as soon as he came out of his dores and another Constable had his stufte taken out of his house, and had a pafs made at him, and was fourced to fly for his life, and that by men belonging to the Ships that was the Kings.

And this Addams with the rest of the Constables of said Towne, made their address to Sir Edmund, and to have his Advice how they should Act to keep the Kings peace in case there should be another fray or Ryott and thereupon Sir Edmund fell into a great Rage, and did curse them and said they deserved to be sent to Goale and indited and called them ill names and ordered Mr. Jno. West Deputy Secretary to take account of their names which he did and would not suffer them to speake &c.

85. The Case of Charlestowne men,—about their being greatly abused Contrary to the law of the English nation, and being fined, Imprisoned, and many other ways damnified, and through the occasion of Sir Edmund Andros granting a pattent, of some of their Lands, that have been Actually Improved these fifty yeares, notwithstanding when he sent them a summons, they Immediately sent him Seaven Substantiall Reasons in writing in answer there unto and other cogent arguments laid before his Excellency that he ought not to give it unto [Lidget] upon his Avoritious, Coveting and unjust petition, and yet without one word of further hearing

ing he gave it to him by pattend, and the said Lidget Sued by the Same and pleaded his said pattend Right, and carried the case by vertue of the same, and binding over some, that did not say nor doe any thing, and had them out of one County into another backwards and forwards severall times, and at last without any hearing, granted Execution against them for twenty od pounds and thereby sent them to Prison—oh wonderfull Injustice.

81. John Chamberlin Constable Complaining of some Friggot mens Riotous Actings Sir Edmund Andros in a rage curst him, and some other Countables, and called them vile names and threatned them to secure them and bid John West Deputy Secretary take account of their names, which he did, and they were sent threatning away.—This was some of Sir Edmunds Jefeueticall Justice, for such Intollerable wrongs (oh poore Protestants.)
87. The declaration of Aprill 18th, 1689, vindicated and proved by a Comittie Comissionated for the same by the Governour and Council and Representatives of the Collony of the Massachusetts by the names of the Comittie viz: Tho: Davenport, Waite Winthrop, John Richards, Elisha Cooke Esqrs. Mr. Tho: Broughton, Capt: Jos: Lynes, and Mr. Chrillopher Webb.
91. Ellinor Vering, about hindring her husband building a mill, upon the account of his land being the Kings, and not patteded.
93. James and Mary Dennis, about the unjust and inhumaine actions done unto them and no Releife although often Petitioned Sir Edmund, who by his faire speeches told them the doers thereof ought to be pillored and have their eares cutt.
Wm. Coleman, in file B: about Complaining to Sir Edmund of Injuries done to him by Judge Palmer, Judge Dudley, and Judge West, but could gett no redrefs.
94. John and Christopher Ofgood about their being sent to Prison 9 or 10 dayes without any Mittimus, and nothing laid to their charge for they had fully done (as they were selectmen) what John Usher Treasurers warrant required them to doe, so then upon their petitioning and friends request, they had a second hearing and then they were ordered to pay excessive charges, and lett go, only one of them was bound over, from Court to Court, and paid charges and lett go.—Sir Edmund and his Creatures loves mony and they would have it altho they cheat the poore Innocents for it.
96. Captain Faireweather and Lieutenant Williams: about the useage and Entertainment of the Prisoners at the Castle Island.
97. An Originall Printed warrant with a seale to it and signed to by Mr. John Usher Treasurer.—Q. The use of this being in his Majesties name.
101. Jarvis Ballard being sent to Prison by Justice Lidgett, (Foxcroft and Bullivant) for nought, and Released for nought, shews also what Justices Sir Edmund keeps.

104. ³ Edw : Taylor, Caleb Ray, and Robert Scott, about their obfervation, that after Sir Edmund Andros had fent the Rofe Friggott Eastward and had Robbed Caſteen, a french man that had married two Indian women, the Indians did not come to their Town but in a hoſtill manner, altho before that time they uſed to come frequently and trade with them. (in file L.)
104. ² Thomas Gent and William Wilcot, about getting another nation, and not Mohackes nor Engliſh to conquer the enemy Indians &c. (in file L.)
105. Rich : Curling, about Sir Edmund his writinge to Lt: Jourdan to treat the Enemy Indians with all manner of Civility, and to accommodate them with what their ſtore afforded if they came to the Garrifon where he commanded. (in file L.)
106. Edw : Randolph, Eſqr: in his letter to Mr. Povey June 21^{ſt}, 1688, gives an account of Sir Edmunds goeing in the Rofe Friggott and Rideing at anckor before Caſteen's houſe, and goeing a ſhoar, and ſeeing a Chappell (and an Alter and ſome picktures and ſome things by it, and letting all alone—but goeing into Caſteen's houſe tooke away his goods and carrying them to Pemiquid, in order to a Condemnation.
- About Mr. Grayham and his familys ſettling in Boſton and his being made Attorney Generall and now the Governor is fafe in his New York Confidence and all others being Strangers to his Councils.
107. Eliza : Speer—about Sir Edmunds goeing in the Rofe Friggott to Caſteens and Robbing him of his goods and bringing them to Pemiquid: and
- About telling her that there would be warr and that before there was any talks of it in the Town where ſhe lived.—And about his ordering the Scattering farmers to come neere together, before they heard of the warr with the Indians: and
- About the Indians coming to their Town called Dartmouth in a hoſtill manner after Sir Edmund Plundered Caſteen, and not before: and
- About Sir Edmunds ſaying he would make Boſton people ſpeak &c. []
too before he had done with them.
109. John Wood, his Depoſition (as Lenox Beverly in No. 42) about Sir Edmund Andros entertaining three enemy Indians in the fourt at Pemiquid, and ſending them away with powder and bullets, in the time of warr, and ſending two files of Engliſh men to guard them ſafe away, ſo that he ſweares that the Engliſh Souldiers did very much Queſtion among themſelves whether Sir Edm: Andros did not Intend the deſtruction of our Engliſh Armie, and brought them theither to be a ſacrifice to their heathen Adverſaries.
110. ² Mr. Jer: Shepard Miniſter, and John Burrel—their oath about their Indian purchaſe, the Generall Courts grant, and 50 yeares poſſeſſion, yett Sir Edmund tells them in Council, that all their pleas were Inſignificant, as to their paying their mony to the natives for their land of Nahant, and the Generall Courts grants were good for nothing, and for as

as much as he havinge made a Law that the Towns should not meet above once a yeare, requested his leave that they might meet, to consult what to say further against Mr. Randolphs petitioning for their land, but he would not grant it, and more over said that there was no such thing as a Town in the Country: about Sir Edmunds unreasonabale demands of mony by way of taxation: about the great expence Randolph put them to, about Nahant Land &c: a great deale more.

Nota. That Major Humphrys and Mr. Johnson two of the old pattenttees was Interested in this land of Nahant.

117. John Winslow—about Sir Edmund Andros Sending for him and demanding of him the Prince of Orringes declaration that he brought with him from Nevis in February, ⁸⁸ which cost him 4/6 there and he telling the Governour he could not tell where they were, he sent them by the Sheriff to Justice Bullevant and presently after there came in Justice Lidget, and Justice Foxcroft; they asked him for his papers, he told them he would not lett them have them by reason they kept all the news from the people, they sent him to Prifon for bringing trayterous and treasonable Lybills and papers of news.

Notwithstanding they were proffered £2,000 security.

- 118.* Peter Plympton about Sir Edmunds Cruelty to three sick Souldiers in prefence of Lt. Coll: Magregory and Capt. Locker.
121. John Usher, Esqr: his Warrant NOT IN HIS MAJESTIES NAME (who had advice from Sir Edmund so to doe as said Usher declared) and was a maine reason why some Ipswich people and others did not at first pay their Rates, But when he lified out his warrant in his Majesties name they Readily paid their rates, this is true although there is none sworn to it yet.

Nota. There was formerly orders from England that all warrants should runn in his Majesties name, and oh the very great damage the omission of this hath done.

John Voyall about Extraordinary injustice done by Broadbanck, one of Sir Edmunds (abominable) officers.

Deer Island Cafe in file 3.

JOSEPH DUDLEY, Esq., *Chief Judge and some time President.*

^o
N B.

1. John Wife Minister, John Andrews senr: Robt: Kinfman, Wm: Goodhew Junr: and Tho: French, Proves their damage sustained, for their unwillingness to Rayfe mony without the Consent of the people &c: (in file A.)
2. Nehemiah Jewet, the like against Rayfeing mony by Arbtrary Power, as also as the above for excessive charges in 1687.

3. John

89. In his Account to the Crown of England Dureing his Prefidentship, there are many things charged in the Account of Debt wrongfully (altho they are paſt by Edw: Randolph as a voucher) who uſed to cheat the King of his due alſo—and as for what was due to the Crown from all the prizes Condemned and gett, and the advance upon the Ships and cargoes, being ſold for more then they were apprized at—and alſo for the Scotch cloaths &c: that they kept back when they were paid for them. Q: if due Cr: given.
70. Capt. Jos: Lynes, about his being forced out of his own County, by a writt about his Land in the County where he lives, being contrary to the law of England and the law made here by Sir Edmund and his Councill of which he was one (in file A.)
72. ² Daniel Wicam and John Peirſon Junr: about Judge Dudley and Geo: Farewell Attourney and Clerk of the Superior Court their perfiduous proceedings or Actings in Court about and in the caſe between Phillip Nelſon, and John Peirſon Senr. of Rowley, Croſſing out a Jurys verdict after Recd and entred, and the other Attourneys leave from the ſaid Judge to draw up a bill of coſt, and when the ſaid Peirſon (for whom the Jury had found) had Received his anſwer from ſaid Judge, that there ſhould no more be heard of any of Mr. Nelſons buſineſs and ſaid therefore to ſaid Wicam (who was Attourney to ſaid Peirſon ſenr:) if he had any buſineſs out of Court, he need not waite there for they had done with Mr. Nelſons buſineſs—yet afterwards when ſaid Wicam and Peirſon ſenr. was gon out of Court, then the ſaid Clerk croſſed or eraſed out ſaid verdict, and the Judge ſent out the Jury upon ſame caſe and they brought in a Spetiall verdict, and the Judge [of?] the Court after enters a Judgment againſt ſaid Peirſon ſenr: Then ſaid Wicam as Attourney aforeſaid, deſired to have an appeale entred, and it was granted—and afterwards gave bond with Security to profecute ſaid appeale and paid the Judge 10s. for his fee, and paid 8s. to ſaid Farewell which he demanded and he ſaid the appeale was entered, and they waited for a tryall, but the next news was an execution, and after that another for £8 for charges all which was paid, &c:

And letting Farewell be Clerk and Attourney both together.

73. Coppie of twelve of his owne Letters, which declare his Malitious Spirit, and manifeſt his Treacherous minde againſt the Maſſachuſetts Colloney, Chiefly to Augment his fortune and Avenge himſelfe for being left out of the Majeſtry—did he not break his freemans oath.
76. The Selectmen and Conſtable of the Towne of Salisburys Complaint, wherein are notorious things mentioned to have been done againſt them.
78. Jos: Dudley hath his name ſett to the writt to bring the Revd. Charles Morton to a tryall out of the County he did and doth live in which is contrary to Law (in file H.)
79. Edward Randolph Eſqr: in his letter to Mr. Blathwait Complayns of Mr. Dudley his encroachment on all and every ſide and that he hath ſo contrived

trived the matter that Capt. George hath Received above £200 mony which belonged to him, and that the said Dudley as President with Capt. George carry all as they please to the great dissatisfaction of the Members of the Councill, and he says Sober men are abused by the false President.

85. The case of Charlestown men about his more then Ordinary unjustly as he was Chief Judge, Judgeing fining and granting of executions against them, after such an illegall manner of proceeding contrary unto the Law of England, and the Law made here by the Governor and Councill whereof himselfe was one, and making a pack horse of the law as if it must attend him and George Farewell his child (the Attourney) as they pleased, for some when they falsly accused of a pretended Riotous matter they would bring no Inditement against them, and when they answered to their call in Court, time after time, they would say nothing to them, nor would not suffer them to Speak at another time, and called them from County to County, and would not suffer them to have a Jury, and above a yeare after, sent out Executions against them, altho before that they did not know so much that there was any Judgment of Court against them &c. (in file A.)

86. Esqr. Johnson and Fr: Kendall, about President Dudley and his Councill writing a mittimus and Committing them to the Marshall, Because they would not Swear that the said President and Councill were a lawfull Government whereas their Commission was an Arbitrary Commission contrary to Magna Carta.

And being examined by said President Dudley, about the Act and adjournment of the Generall Court, and when he did see they would not Confess &c: then the said Dudley said that Act and ajournment would cost some men their lives &c.

88. James Lowdens Complaint for his unjust dealing with him, in binding him over without a cause, and in Court three times, and then saying nothing to him and after he as Chief Judge brake up Court with Oh Yes: that all should depart untill further summoned, yet without any further summons, or hearing at all about a yeare after, issued out Execution against him, from another County for £5 fine, and £12: 18: 4: charges for prosecution, and so sent him to prison.

90. Sam: Weed and Jno: and Ben: Steephens testimony about John Weeds being forced to [pay ?] fees and charges for that he could not possibly doe.

89. The Accounts to the Crown, wherein are many things which ought not to be, as to the charges thereof, which being prejudiciall to the Crown of England, and also to the Inhabitants of New England, therefore said Dudley should render to Cesar the things that are Cesars, and to the People of New England the things that are theirs, And here by the way notice may be taken that this and such like things is that which said Dudley would be at as in his often Solliciting Mr. Randolph

Charges Against

dolph in his Letters to him, which contained matter notorious enough to sham him for ever before all honest Christian People, that he should be so secretly and Perfidiously under-minding the well-faire of his Native Country.

Note, also where hath the Crown of England Cr: for their parte of Prizes and advance.

92. Capt. John Wing, about his using arguments to persuade said Wing to goe to Sir Edmund Andros and take a Patent for his Lands.
94. *| Zacheus Curtis and John Gold Junr: about Judging John Gold Senr: }
 56 is all one. { Excessively by the testimony of one false Wittnes &c: and making him }
 { pay &c :
99. Jarvis Ballard, about said Dudleys unjust dealing with and plainly and notoriously cheating Robert Wright of £130: more than his Ship and Cargo was prized at, But more Especially for keeping from him £140: worth of goods, and eighteen peeces of fine scotch linnen, that he had paid him for, for all which he could not gett any Satisfaction But when Complaind to and obbraided with this abominable Injustice, the said Dudley made answer and said may not I doe it.
102. John Peirson Junr: about his Father paying great charges and nothing proved against him and therein Tho: Dudleys insinuating letter to gett the old mans money.
103. James Steephens about Illegall fining of him and fees (in file G:)
111. Esqr: Dudleys own letter to Jno: West Deputy Secretary for to move Sir Edmund Andros that the Patente for his Lands may be passed for his owne benefitt, and for a good Example to others, But he would not have his lands Surveied.

Oh the poyson of a Serpent is deadly.

112. Edw: Randolph in his Letter to my Lord of London dated 29^o: May, 1682: There writes that Mr. Dudley is a great oppressor of the People here (in file C.)
119. His own Commission to be President, which being Arbitrary, and he accepting thereof and Acting accordingly thereupon shewed his Spirit, and acting Clearly against Magna Carta, He therefore ought to be punished.

Nota. He was bid to Remember Emson and Dudley in King Henry the eighte time, a day or two before he acted upon his unlawfull Commission.

- Q. If his not giving evidences in writing according to our custome house, to Jurors upon tryall of cases were not the better to accomplish his ends to obtaine what verdicts he pleased.

EDWARD

EDWARD RANDOLPH, Esq.

N C.

1. John Wife Minister, John Andrews Senr : Robt : Kinfman, Wm : Goodhew Junr., and Tho : French Swears to their damage fuitained from Edward Randolph, as one of their Judges, for their being unwilling that Sir Edmund Andros and his Councill should Rayfe mony without the content of the people (in file A.)
 11. Wm : Howlet, as the laft above (in file B.)
 21. Caleb Boynton, about paying exceffive charges in the Ipswich cafe (in file B.)
 27. His letter, dated Aug^o : 23^o : 1686 : againft the Country to my Lord Treafurer, about rayfeing great Revenues by Quitt Rents. P. quintefence of Injustice to N. E.
 40. His letter to the Lords of the Committee againft this Country.
 41. ² Henry Kerley and Tho : How, about their being threatned to be hanged if &c : when they were keeping watch againft the Indians foon after the Indians had killed 5 English (in file A.)
 43. His letter to the Arch Bifhop of Canterbury againft Governor Hinkley, Mr. Dudley and feverall other Majeftrates &c. and about takeing away the mony gathered in England for the Preaching of the Gofpell among the Indians.
 53. The Town of Lynns Complaint (in file A.)
 77. The Proprietors of Nahant in Lynn, about his unjuft molefting them about their Land which they had poffeffed 49 yeares,—and here by the way note, That none of the petitioners for other mens lands, never went to Settle a Town in the wild Wildernes unmade ufe of out of a Township, this would not have brought grift enough to Sir Edmund and his Creaturs Mills.
 80. Mr. Wm : Blaithwaits letter of the 22d October 1687, to him faying, that there being but one thing wanting to fett all right at Bofton, where he hath but one rock to avoyd which he ought to be awarr of, he means his letting them come within him, after which they will eafily give him the Cornifh hug [thefe words fhews Mr. Blathwait to be Boftons under hand enemy] and that Edw : Randolph Efqr. was then Secretly carrying on an ill defigne againft New England.
 100. Jarvis Ballard—about his unjuftly taking away his goods that was apprizd at £113 : 7 : 0 : and making him pay £140 : to Redeem them.
 110. His petitioning to Sir Edmund for Nahant Land in Lynn, he putt the People to great charge, and if he had gott it, it would have undone many.
- Note that two of the old Pattentees were Intereted in Common with the Lynn People in Nahant Lands viz. Major Humphreys and Mr. Johnfon &c. (in file A.)

112. His letter to my Lord of London his urging that the mony gathered in
 { England to preach the Gospell among the Indians may be converted to
 { maintain their minister, and about his urging that the King fend for the
 Majestrates.

And about under vallueing our Majestrates in Saying they were Servants
 and had gott their estates by fees and Cozenage.

Dated 29^o May, 1682.

The Devill was a lyer from the begining.

113. His letter to my Lord Bishop of Canterbury about his urgeing for an order
 that the three meeting houfes in Boston might pay 20s a weeke, out of
 their contributions towards the defraying of their Church charges—and
 that the mony gathered for the preaching of the Gospell among the
 Indians might be converted to maintaine their church and build a
 Schoole.

And about his labouring to procure and bring a generall Governour over us.

114. In his letter to my Lord of London, dated July 14th: 1682 against the
 Countrey and our Agents—and about his contriveing and urging for a
 Quo Ranto to be sent against this Country and to over turn this Charter
 Government and safely belying the people that Govern.

120. In his letter June 14th: 1682 to the Earle of Clarrendon against our Charter
 and for a Quo Ranto against this Collony—about his Importuneing that
 our Majestrates might be sent for accuseing them for Rebellis and pray-
 ing he might be paid his Charges out of their Estates—for Governour
 Cranfeild to Examine the last articles against the faction, that so our
 charter might be vacuated, and so for a Generall Governour.

And that he would undertake with 500 of his Majesties guard to drive the
 Maffachusets people out of their Country—and that all that Govern
 this Country were either Servants or Servants Sons.

(O lyer of Lyers.)

123. His own letter to the Right Honourable the Lords of the Committee for
 Trade and forraigne Plantations.

An Account of the Proceedings from the yeare 1675 to the yeare 1684 for
 Establifhing his Majesties Authority in New England by Edw: Ran-
 dolph wherein he tells them that the whole Collony of Boston &c.
 abounded with the largest and best mafts (a great lie) and how he had
 prepared matters Ready to bring all the Collonys in New England to
 Submitt to his Majesties generall Government &c:

Tells of his being allowed a 100 a yeare for 8 or 9 yeares, and Insinuates
 for another hundred a yeare to be added to the first and also for £471:
 more to be given him &c:—whereby it appears the late King was at
 8 or £900: charge about maintaining him—and yett would be hard for
 him

him to prove that ever the Crown was *20s.* the better for him—But certainly the King and New England hath been Greatly Damned by him.

124. In his letter to Mr. Sanfon Secretary he there Complains that the President unjustly wronged him of £200:—and therein saith that the Inhabitants perfectly hate him for altering the Government (which they will never pardon.)

JOHN WEST, *Deputy Secretary and sometimes Judge.*

N^o D.

2. Neh: Jewet, his Excessive damage, for being unwilling, and against Rayfeing mony by Arbitrary power (in file B) and that against Magna Carta.
4. Andrew Sergent, about illegall Fees for Probate of a will.
8. Caleb Kemball about excessive charges to Settle an Estate.
9. Jos: Quilter about excessive charges in the probate of a Will.
11. Wm: Howlett about excessive charges for being against Rayfing mony without the consent of the people (in file B).
12. John How about West saying, it would not be for the Kings Interest untill this Country were in another Peoples hands.
21. Caleb Boynton, about paying excessive charges in the Ipswich busines (in file B).
24. The Reverend John Higgefon, and Capt. Step: Seawall about Mr. West saying that all the lands in New England were the Kings and not the peoples &c. (in file A.)
27. In file C: Mr. West is called by Esqr. Randolph more Arbtrary then the Great Turk—the letter is Randolphs writeing tho' not Signed.
39. Edw: Randolph Esqr: letter to Mr. Povey dated January 24th: 1687 accusing Mr. West for extorting what fees he pleases to the great oppressing of the people and that it Renders the present Government greivious.
45. Major Nath: Saltonstall his oath about takeing illegall fees of him (in file A).
46. Jno: and Christopher Ofgood about illegall fees (in file A).
60. Wm: Coleman about illegall proceedings against him (in file B).
70. Capt. Jos: Lynes about his telling him when he petitioned for a pattent for his whole Lands, that he must have so many pattents as there were Countyes that he had land in, if not townes (in file A).
71. Math: Salter about Judge Palmer and Mr. John West Deputy Secretary their Examining him how he came by his lands, he haveing told them all along down to the purchase of it from the native Indians, then they told him that such a title would not do but he must take a pattent for it, and

and if they would not, then they would Seize upon what he had, and burne his house, and carry him to Yorke, and Exchequer him for a Rebell, he then told them he never heard nor read that any King or Prince would take away any Subjects lands, which had been passed forty or fifty yeares, and sell it or give it to any other person, then they called him many bad names, and threatned to cane him, and at the last foured him to take a pattent for the which he was foured to pay them two pounds tenn shillings in mony, that was hard to gett, (in file No: E.)

75. The Revd : John Wife and 5 more affirm that said West told some of them that they had no privilege left them (in file A.)
78. John West hand is to the writt to try the Revd. Charles Morton out of his [] in file H.
79. Edw: Randolph Esqr: in his letter to Mr. Blathwait complains of Mr. West and Mr. Palmer, about their hostile takeing of wines from Ponopscutt, in Novia Scotia belonging to the french and that he feares it will occasion warr between the french and the English (in file B.)
82. Esqr: Randolph in his letter to Jo: Povey Aug^o: 25^o: 1687 complains that Mr. West as Deputy Secretary to himselfe takes what fees he pleases.
91. Ellinor Vering about his saying that he that sold her husband his land (altho he bought it of the natives) might as well have sold him all Boston (in file A.)
93. Ja: and Mary Dennis about their Injuries &c: (in file A.)
94. John and Christopher Osgood, about their being sent to Prifon 9 or 10 dayes
 { without a mittimus or any thing laid to their charge, and afterwards
 { foured to pay excessive charges; their mony was greatly coveted
 &c: (in file A.)
106. Edw: Randolph Esqr: in letter to Mr. Povey dated January 1688 gives an Account of Mr. West and Palmer, how they had their emifaries among the people at Pemiquid and Dartmouth and had frighted them into takeing of Leafes, producing unto them a Comission from Coll: Dungan to dispose of all the lands to who ever would take leafes at five shillings the hundred Acres quit Rent, and that they had past about 140 leafes, and some had 800 and some 1000 acres, and all paid £2: 10: 0. for passing their grants of 100 acres woodland and twenty acres marsh where ever it could be found, and that this bread a great mischeife among the people, few or none haveing their land measured or Marked, they were in haft and gott what they could, and yet the poore had been very much oppressed by it.

And at this time Capt. Palmer and Mr. West, laid out to themselves such large lotts, and Mr. Grayham tho' not there had a child's portion, he thinks some of them have 8 or 10000: acres but he hears not of one penny rent coming to the King, and that 5s a 100 acres was only a Sham putt upon the people.

And

And about Coll : Dungan and his agents West and Grayham Squeefing the New Yorke people quite dry, that there is little good to be done.

And that it was not well done of West and Palmer to teare all in peeces that was Setled and granted at Pemiquid by Sir Edmund Andros, and that they placed and displaced at pleasure, and that they were as Arbitrary as the great Turk.

And that some of the first fetlers of the Easterne Countrey they denyed grants of their own lands, and gave the poore peoples Improved lands amongst themselves. (in file A.)

MR. JNO. PALMER, *Judge.*

N : E :

44. Ezekiel Woodward, his oath, about his illegall Judgment contrary to a verditt. (in file B.)
60. Wm. Coleman, about illegall proceedings against him. (in file B.) Judge Palmer was one of the Judges that gave Judgment against, and gave Deer Island to King James—notwithstanding King James gave Sir Edmund Andros no power in his Commission to medle with any land, but waft land.
- And noat that Deer Island was not waft land, but Improved for a great many yeares, about 40 : to the use of a free Schoole.
67. Caleb Moodey about false Imprisonment and £40 : damage.
68. Joseph Bailey about dito and £30 : ——— damage.
70. Capt. Joseph Lynes, about his being fourced out of his own County by a writt about his land in the County where he lives, being contrary to the Law of England and the Law made here by Sir Edmund and his Council (in file A.)
71. Matthew Salter about Judge John Palmer and Mr. John West Deputy Secretary their examining him how he came by his lands, he having told them all along down to the purchase of it from the natives, they told him that such a title would not doe, but he must take a patten for it, and if he would not they would Seize upon what he had, and burn his house, and carry him away to Yorke, and Exchequer him for a Rebell, he then told them that he never heard nor read that any King or Prince would take away any Subjects lands, which had been possessed 40 or fifty yeares, and Sell it or give it to any other person, then he was called many bad names, and threatned to be caned, and at last fourced him to take a patten, for the which he was fourced to pay them two pounds ten shillings in mony that was hard to gett.

79. Edw :

79. Edw : Randolph Esqr. in his letter to Mr. Blathwait, complains of Palmer and West about their hostile taking of wines from Penopscutt in Nova Scotia belonging to the french, and that he fears it will occasion warr between them and the English (in file No. B.)
83. Judge Palmers Signing Excessive bills of Cost.
106. Edw : Randolph Esqr. in his letter to Mr. Povey dated January 21th 1688 gives an account of Mr. West and Palmer, how they had their Emifaries among the poore people at Pemiquid and Dartmouth, and had frighted them into taking of leafes produceing unto them, a Commission from Coll: Dongon, to dispose of all the Lands to who ever would take leafes at 5s a hundred Acres quit Rent, and that they had past about 140 leafes, and some had 800 and some 1000 acres and all paid £2 : 10 : 0 : for passing their grants for 100 acres of wood land, and 20 acres of Meddow where ever it could be found, and that this bred a great mischeif among the people few or none haveing their land meafured or marked, West and Palmer was in haft and gott what they could, and that the people had been very much oppressed by it.
- And at this time Capt. Palmer and Mr. West laid out to themselves such large lotts, and Mr. Grayham altho' not there had a childs pourtion, he thinks some of them have 8 or 10000 acres but heares not of one penny rent coming in to the King, and that 5s. a hundred acres was only a sham put upon the people.
- And about Coll : Dongan and his agents West and Palmer, to teare all in peeces that was Setled and granted at Pemiquid by Sir Edmund Andros was not well, and that they placed and displaced at Pleasure, and that they were as Arbutrary as the great Turk.
- And some of the first Setlers of the Eastern Country, they denied grants of their own lands, and gave the poore peoples lands among themselves (in file A.)

MR. JAMES GRAYHAM, *Attourney Generall.*

N : F :

24. The Revd : John Higginson, and Capt : Step : Seawall, about Mr. Grayham, faying that all the lands in New England, were the Kings and not the peoples &c : (in file B)
- James Grayham was he that pleaded against the Countrey at Charlestown about the title of their lands.
67. Caleb Moodey about his wrong Imprisonment and £40 : damage.
68. Jos : Bailey about dito £30—damage (in file E) and told him that he had but a little time to live and bid him prepare for death (in prison)

70. Capt :

70. Capt: Joseph Lyne about his giving him £3 in mony and promising that if he would lett the Action fall he would pay Court charges and give him £10: when he had his Patent Completed for that small parcell of Land that he had the writt of Intrusion served upon him for, and this he was forced to doe for feare all the rest of his land should be taken from him, being so threatned to be so served by the abovefaid Mr. Attourney Generall. (in file A.)
108. Capt. Daniel Turel, and Lt. Edw: Willis, two Selectmen of Boston about his saying there was no Town in the Countrey, thereby defaming the Country and Sir Edmund Andros warrant, (about Rayfeing Rates.)
- And also his saying that if they answered in the case of Deer Island against the King it might cost them all they were worth and something elce too, and thereby to hinder people speaking for their Just Inheritance, (Oh how this man endeavoured to undoe poore New England.)
69. In Deer Island case he was the Attourney Generall Issuing out writt of Intrusion, and ordering the Execution to be served, after there was a writt of Superfedias served on the Sheriff to stop it and that before the appeale (was heard (in file B).)
122. He was the man that brought a writt of Intrusion against Hogg Island as Attourney to the King.

MR. GEORGE FAREWELL, *Lawyer, Attourney, Attourney Generall, and Clerk of all Courts at times.*

Ñ: G:

1. John Wife Minister, and 4 men more swear against this man as he was Clerk and Attourney both at that time when they Suffered damage at Court for being unwilling that Sir Edmund Andros and his Councill should rayse mony on the people without their consent (in file A)
2. Nehemiah Jewet, his Excessive damage for being against Rayfeing mony by Arbitrary power (in file B)
5. ¶ Wm: Sergeant, Wm: Heskett, Tho: Riggs, and Timo: Somes, about Excessive charges or fees (in file B).
6. Tho: Patch about Keeping away the Constables fees.
7. Simon Stacie about illegall fees (in file B.)
39. Edw: Randolphins letter to Povey January 24: 1687 accusing Farewell for taking extravagant fees (in file D.)
45. Majr. Nath: Saltonstall, his oath about his taking illegall fees of him (in file A.)

54. Simon Stacy about his being illegally dealt withall (in file A.)
60. Wm. Coleman about his excessive fees (in file B.)
66. His own letter about his Debauchery at Billings farm. Geo: Farewell was he that pleaded against the Country at Charlestown about the title of their lands &c.
70. Capt. Jos: Lynes—about his said Farewells saying in open Court in Charlestowne that all cases must be brought to Boston in Suffolk because that there were not honest men enough in Middlesex to make a Jury to serve their turns (in file A.)
72. Daniel Wicam and John Perfon Junr. about his being both Clerk and Attourney in the Superior Court, and his crossing out a Jurys verdict after received and Recorded when the other were sent away, and in favour of his Clyant, and taking extraordinary fees (in file B.)
78. In a parchment Writt, Geo: Farewell calls himselfe presentor of the Reverend Charles Morton and with his owne hand filled the said writt to bring the said Mourton out of his own County in to another to answer the false report of a single false reporter in all respects contrary to law, which verifies Esqr. Randolphs writinge to Mr. Blathwait of him that he carries on business as he pleases, for he bringing grist to many of Sir
 { Edmunds Creatures mills they therefore lett him alone, for in that respect
 { he is their best friend (in file H)
82. Esqr. Randolph in his letter to Jo. Povey dated August 25: 1687 being one
 { of the two lawyers here drives all the practise as they please, and so it
 { appears by their unlawful and unconscionable bills of costs which our unjust Judges signe to the undoeing of many (in file D.)
83. his drawing up excessive bills of costs and getting Judge Palmer to signe them (in file E.)
103. James Steephens oath, about Excessive fees and taking upon him selfe
 { (altho but [a ?] Cheating Lawyer) to committ him to the Marshalls
 { cuitody, untill he had paid him [what ?] he pleased, fourseing him to pay 15s more then the Judgment of the Court.

JAMES SHURLOCK, ESQR. *High Sheriff.*

N. H.

60. Wm. Coleman about his denying a copie of a writt (in file B.)

James Sherlock—served the Execution upon Deer Island after there was a Superfedias served upon him to stop the serving of said Execution and that before the appeale was heard.

78. About Pickt Jurys, and Non Inhabitants, and non Freemen, as appears in a parchment subscribed by James Sherlock Sheriff: wherein he returns
 one

☞ { one John Leavenworth a brick layer, whose house and home is about 200 miles distant from Boston, where he was summoned to serve as a Jury man, in the tryall against the Revd: Charles Morton Minister, against whom said Leavenworth was a bitter enemy; note by the way that said Leavenworth hath no family in Boston, but hath kept his family these many years in the farthest Towne in Connecticut Collony, —and one Jer: Gibbon a single person and no householder.

69. In Deer Island case he was the Sheriff that after the Superfedias was served upon him to Stop the Serving of the Execution, yet he served the Execution before the Appeale was heard (in file B.)
122. He Served a writt of Intrusion on Hogg Island (as in file F.)
115. Jno: Pittom—his oath that James Shurlock High Sheriff came on Deer Island, the 28: day of January 1688-9: and turned him and his Family afloat on the water, although he was tenant there to Coll: Sam: Shrimpton, and said Shurlock put two men that he brought with him into possession of said Island, as he said on behalfe of King James the Second.

MEMORANDUMS of other papers Manifold.

N^o
A B At a Councill of Safety of the People and Conservation of the Peace,—of Severall orders about the Souldiers Eastward and Garrisons &c :

B C tied together { Orders Relating to the Rose Friggott.
The Courts Proceedings and Sentance of Lt: John Cuttler—that case (3 fides.)
C D { Lt: James Weemes his Letters and what past about him when at Pemi-
D E { quid.

There is no Copie taken of these Except what is written by, copied (which be three.)

1. Propofalls of the Merchants Referring to Capt: George the 10^o: June 1689.
2. 7 Coppies of Accounts of Fees—due from Several Countys.
3. (Copied.) 1. 2. 3. three sheets of paper writt at Albany about the Indians, the 5 nations, &c:
4. Copie of the Act for a leavey in New Yorke.
5. An Act for the Regulating the Choyce of Selectmen.
6. An Act Declaring the Severall Laws made by the Governour and Councill to be in fource within the Collony of Connecticut and for Setting of Courts.
7. An Act for Regulating the size of cask and preventing deceit in packing &c :

8. An

There is no Copy taken of these Except what is written on copied (which be three)

8. An Act for Regulation of Cattle, Cornfields and fences.
 9. An Act for Destroying of wolves.
 10. An Act for the Continueing and Establishing Severall Rates, Duties and Imposts.
 11. An Act for an additional dutie, of Impost and Excise, and for the better Collecting and Secureing his Majesties Revenue.
 12. (*Copied.*) An Act for Establishing Courts of Judicature and Publick Justice.
 13. An Act for peeces of eight.
 14. An Act for probate of Wills and granting letters of Administration.
 15. An Act for Regulating Purchase of Lands from Indians.
 16. An Act for Regulating of the fishing trade and fishermen.
 17. (*Copied.*) An Act against Piratts.
 18. An Act for Justices to try cafes to 40s.
 19. An Act for Due Regulation of waites and Measures.
- oo. The Propositions made by the five nations of Indians to Sir Edmund Andros at Albany—and his Propofalls to them.
- ooo. Propositions made by Coll: Pincheon, Major Savage, Capt: Belcher, and Capt. Bull, agents of the Severall Governments of New England viz: Massachusetts, Plymouth and Conecticut, to the five Nations, or Cantons of Indians viz: The Maquase, Oneytes, Onnoddagos, Cayouges, and Sennicks, In the City Hall of Albany, the 23th September, 1689.
- Dito Their Propofalls to the River Indians.

ROSE FRIGGOTT COMANDERS *Capt. George, Lt. Condon.*

^o
N. I.

As to what in them writings now at present in hand, therewith is the former Committies Report.

Nota

99. Jarvis Ballard about Capt: George and his Lt: Injuriouly or plaine Stealing £140:s worth of goods and 18 pieces fine scotch linnen after they were apprized, bought, and paid for upon the Account of Robert Wright (in file B).

LT: COLL:

LT: COLL: PATRICK MAGREGORY.

K

David Folton } These say that this Patrick did keep back from them
Joseph Breden } the allowance the Governour allowed them, and that he
Zachariah Maff } would not lett them have no more in seven dayes then
they might eat in four dayes, and that he kept away
their rum, peafe, and flower, and in stead thereof gave them Indian
corne which was a great wrong to them; and that he forced them to
march when they were not able both in Respect of victualls and
Shoos, some having neither bread nor meat nor shoos, and it was in
his power to give releife in all, and yet marched them from tuesday to
friday night, and that some of them had Sterved if they had not found
some Indian corne most part rotton, and a drowned Deere—and when
they were within sight of the Indian fourt, he the said Patrick shott off a
gunn &c.

- 55 Wm: Wormwood: about his saying he did not come there to Serve the
Country but Sir Edmund, and about Crueltys &c. (in file A.)

 LT: JOHN JOURDAN.

L.

58. Henry Teuxbury about his hanging up a man by the hand with a cod line
clear from the ground only bearing one foote upon a sharp stake a long
time, and afterwards tied neck and heels, and after that tyed up by the
other hand as before, with his other hand and foote tyed crofs behind
him, and after that bound down with his back upon a sharp rayle or
stake, saying that he would so punnish him that he should not be able to
earn his living if he lived but begg from Dore to Dore; and all this for
nothing but mistrust of takeing victualls, and this punnishing him was
from morning untill almost night (in file A.)
104. Edw: Taylor and Caleb Ray, about his Treacherous Spirrit to the English.
105. Rich: Curling said Jourdans Clerk give a notable Evidence about his ill
Spiritt &c.
115. George Bradley his oath about his Drinking healths to King James Sir Ed-
mund Andros and Capt. George—and Confusion and Destruction to all
their Enemies, and throughing said Bradley into the fyer severall times
and setting his foote upon his neck and drawing his Sword and putting
it to his breast and Swearing to pin him to the flower, and commanding
Geo: Kerby to hold him to the fyer, to burn the Dogg as he called him,
but he not pleasing him in the action he threw him down upon the said
Bradley, and ran the said Kerbey in to the side with his Sword.
116. Geo: Kerbey to dito and more fully—and to other things.

L^o John

L^o John Towers, Caleb Ray, Tho: Jent, Wm: Wilcott, Robt: Scott, John Brown, Henry Mills, Ifaac Taylor, and John Hooper, These complaine of Great abuses done to their bodyes and to some of their Eitates by said Jourdan, but more espetially on account [of the] extraordinary Cruel useage done to Richard Hodges, one of his Souldiers w[ithout] any fault committed by him, as Wittnefs Jno: Hooper, Caleb Ray, and John Tower.

CAPT: LOCKER *a Roman Catholick.*

M

Thomas Clark hath sworn against him that he did see said Locker pull a Souldier Henry Trask by name out of a house and knocked him down, and Stamped upon him untill the blood runn out of his mouth, and he was ill upon it, liveing but a little while, and a little before his death, he said Capt. Locker was the cause of his Death.

And at another time another Souldier was ill named John Grose who beged of said Locker that he might Stay and not go on the March that was in hand, but said Locker replyed God damm you you shall march; and a little after we began to March the Soulder said his Heart was broak, and in a few dayes after he died.

14. David Foulton and Tho: Clark about great Cruelty (in file A).

54. Joseph Emmisson, Jacob Whittaker (in file A).

And Ifaac Prince about his being the death of two men (in file A: 59)

MR. HAMMILTON.

N.

Wm: Gibbons the 23^o June 1689, testifieth that said Hamilton dranck a health to King James, and then said damnation to the Proteftant Interest.

CAPT. MANNING.

O.

48. Joseph Emmefon and Jacob Whitaker about their ill useage (in file A).

104. Caleb Ray and Robt: Scott about a ploit against the English (in file L).

MAJOR

MAJOR ANTH: BROKHOLES, JA: WEMMS, &
JNO: BROCKHAVEN.

105. These three write from Pemiquid to Lt: Jourdan at New Darkmouth to draw him into a conspiracy to run away from the English garrisons to the French now Sir Edmund was taken, and carry the Stores with them, and leave the people that will not fight against Boston people, even to the fury of the wild heathen Indians then in war against them (in file L).
-

LT: JAMES WEMMS.

48. Joseph Emmerfon and Jacob Whittaker, about their welcome to Pemiquid, as soon as they came, he said, Hell is like to be your winter quarters and the Devil your Lanlord, damned sons of whores; and often beating them (in file A).
105. His complotting, writeing, and acting treason against the English Nation
D. E. (in file A).
In his own Letter from Pemiquid, writes he will take his fortune with Sir Edmund June 23^o: 89.

Mafs. Archives, Vol. 35, pp. 254-276.





AN INFORMATION

OF WHAT ENTERTAINMENT

SIR EDMUND ANDROSSE K^t AND THE REST
OF THE GENTLEMEN

COMMITTED TO OUR CHARGE HAD AT THE CASTLE
UPON CASTLE ISLAND

From the first to the Last of Their Aboad here.

[From Massachusetts Archives, xxxv : pp. 89, 90.]



ON the Twentieth Day of Aprill Anno 1689, Mr. Jno: Palmer, Mr. James Graham, Mr. Jno. West, and Capt. Tho: Trefroy, were Committed Prisoners hither, and at their Comeing here were ordered them Convenient roomes, thyt, warme and dry, the best we had in the Castle, and such as were fitt to Entertaine any man (without respect to their being Prisoners) and to their great Satisfaction. The roomes they were Entertained in were: One of them Nine foot broad, and fourteene foot Long, the other Seventeen foot and a halfe Long and nine foot broad, with Chimneyes in them. And as to their Entertainment and usuage by us, from Eight of the Clock at night to Seven the next morning they were Lock't up, and all the rest of the Day and night had Liberty to walke abroad upon the Island any where (Except out of Sight of the Garrison) upon the Walles or in the Yard: and Likewise non of their Friends were prohibited comeing to them. On the 7th of June 1689 Sir Edmund Androsse K^t:

was

was Committed Prisoner hither Likewise, and at his coming here, wee gave him the Choice of any Room in the Castle, and he himselfe chose to be in the same roomes with the aforesaid Gentlemen and was well Satisfied with his Entertainment at Least to outward appearance, and by his discourse; and at the same Time Mr. Jno: West was ordered up to Boston Goal: and in three dayes after Capt. Tho: Trefroy was dismissed, so that there was room Enough for these that remained. And as for said Edmund Androsse his Entertainment, he had the same Liberty the aforesaid Gentlemen had before he came there, and rather more; untill the Second day of August 1689, at which time about Eleven of the Clocke in the Night, Sir Edmund Androsse made his Escape, chiefly by the Trechery of one of our Corporalls and by Our Confidence we had in Sir Edmunds Fidelity, and was wanting Eight dayes, and then was Committed into Our Custody againe and put into the same roome he was in before by his owne Choice; but had not the same Liberty, he being Confined to his roome and the Liberty of the Yard, Except he would accept of a Guard of Two Musketeires to wayte upon him, with whome he might have had the Liberty of walkeing the Island as before, which he would not accept of, and Likewise had the Liberty of his Friends as before for the most part. This is a true Narrative of all Our Proceedings with the aforesaid Gentlemen within Our Custody, as we Can Attest upon Oath, if occasion be.

Memoranda that One of the fore-
mentioned Chimneyes was not
built till towards winter.

*John Fayerweather,
Nathaniell Williams.*

(On the back)

Boston January 24th, 1689.

Sworne by the Subscribers Capt.

John Faireweather and Lt.

Nathaniel Williams.

Before *Tho: Danforth*, Deputy Governor.



P E T I T I O N
OF THE
INHABITANTS OF MAINE.

[From Massachusetts Archives, xxxv : pp. 184, 185.]

To the King's Most Excellent Majesty.

The humble petition and address of severall of your Majesty's Loyall Subjects (in behalf of themselves and others) the present and late Inhabitants of the Province of Maine, and County of Cornwall in the Eastern part of your Majesty's Territory and Dominion of New England in America.

Sheweth :



THAT in the Summer 1688 the Eastern Indians made Warr upon your petitioners and other your Majesty's Subjects in these parts, and Seized and Carried away Severall of them Captive, some of whom they killed and others perished by their hardship and Cruelty; and plundered and spoiled their goods and Estates, and after burnt and destroyed several of their settlements and habitations. But so soone as his Excellency Sir Edmund Andros Knt. Our Governour returned from New Yorke, and had a full account and Information

mation thereof, he immediately raised and dispatched such forces to Our assistance as gave Protection to the Inhabitants there and security to their Estates, and put a stop to the further Rage and fury of the heathen, and in the following Winter's service against them, where he was in person, reduced them to that want and necessity both for provision and amunition that in all appearance they would in a very short time have submitted at mercy or been wholly subdued and overcome. And during that time Wee suffered not the least Losse in our persons or Estates by them.

That to our great griefe and losse in Aprill following, a most unhappy insurrection or Rebellion broke forth at Boston—where (for what reason or Cause is to us unknowne) the people both of the Town and Countrey taking to Armes on the 18th of the Month did violently seize and imprison the Governour and other principall Officers, tooke possession of the Forts and Garrisons and wholly subverted the Government and instead thereof Erected and set up a Certaine Committee or Councill of Safety Consisting of severall of the principall Actors therein, who soone Ordered all the Forces in the Eastern parts to Come home immediately, drew them off from their severall Garrisons and Stations and left that Countrey without any Succour or Defence, and imprisoned the Officers that Comanded your Majesty's Souldiers there.

That some short time after this Change of the Government the Indians were supplied with stores of Warr and Amunition by vessels sent by some in Boston to trade with them, and thereupon tooke new Courage and resolution to Continue the Warr; and having got to their assistance other Indians, who before were unconcerned they presently burnt and destroyed the severall Fortifications which the Forces had deserted, the towne and Garrison at Pemyquid and severall other townes and places and ruined and depopulated the whole County of Cornwall and great part of the
Province

Province of Maine, before any help or assistance was sent from Boston. And also great Murthers and spoiles were by them Comitted at Chachebe on Pifcattaway River whereby (besides the los of 300 of your Majesty's subjects) your Petitioners have received damage in their Estates and Trade to the value of 40000 £ and is to the utter Ruine and undoeing of many of them. And if not timely prevented by your Majesty's special Grace and favour may be of like fatall Consequence to many others your Majesty's subjects in those and the neighbouring parts wholly Exposed to the rage and fury of the heathen, whensoever they shall attack them; The Forces (which after all the spoile and mischief was done this summer, were sent out) being now returned home without any sort of Advantage against the Enemy. And Wee Cannot but very justly Conclude and Judge, that all this misery losse and Calamity which hath befallen us and this Countrey, hath bin Continued and increased upon us by Occasion of the late Infurrection and alteration of the Government at Boston—and the irregular proceedings and management of affaires there since that time.

Jan: 25. 1689. Your Petitioners therefore out of a deep fence of their duty and Allegiance and of their owne miserable Condition, which they humbly represent unto your Majesty, Doe most humbly implore your Majesty's gracious assistance and protection, and that by the Influence of your Majesty's happy Government Established over them may be Capacitated to vanquish and overcome their Enemies and repose themselves of what they formerly Enjoyed.

And your Petitioners as in duty bound
shall ever pray &c.

Samuell Walker	Nicholas Manning	Lawrence Jones	John Dolton
Ellacott	<i>the mark</i> I P of John Paine	James Dennes	John [blank]
	Tho: Scottow	Wm: Dines	John Spencer
	John R. Ryall	John Wrifurd	Francis Lord
		Francis Johnson	Thomas Giles.

A BRIEF
DISCOURSE

Concerning that

CEREMONY

OF

Laying the Hand

ON THE

BIBLE

IN

SWEARING.

BY SAMUEL WILLARD,
Minister of a Church at *Boston*, in *New-England*.

L O N D O N . Printed by J. A. in the Year 1689.

41. By the kindness of GEORGE BRINLEY, Esq., of Hartford, we are able to add the following bibliographical items. Increase Mather wrote on this subject of the form of making oath, and his book called forth at least two replies. We shall make some extracts hereafter, as the matter is referred to in the "Vindication of New England." The titles are as follows :

1. "A Brief Discourse Concerning the unlawfulness of the Common Prayer Worship. And of Laying the Hand on, and Kissing the Booke in Swearing. By a Reverend and Learned Divine. 2 Kings 18. 4. Printed in the Year. &c." [sic] 12mo. pp. 21.

A second edition bears the same title, except that after the words "by a Reverend and Learned Divine," it adds, "The Second Impression. Reprinted at London in the Year 1689." pp. 43.

2. "A Brief Discourse Concerning the Lawfulness of Worshipping God by the Common-Prayer. Being in Answer to a Book, Entitled, A Brief Discourse concerning the Unlawfulness of the Common-Prayer Worship. Lately printed in New-England. . . . 1 Cor. 14. 40. London: Printed for Ric. Chifwell at the Rose and Crown in St. Pauls' Church-Yard. MDCXCIII." small 4to. pp. 36.

3. "Some Remarks on a Pretended Answer to a Discourse concerning the Common-Prayer Worship. With an Exhortation to the Churches in New-England to hold fast the Profession of their Faith without Wavering. By Increase Mather, D. D. Phil. i. 17. Necessarium est, ut qui falsis dicendis affueti sunt audiant vera, et qui quod voluere effutiunt, etiam quæ nollent intelligant. *Riveti Jesuita vapulans.* Printed for Nath. Hillier at the Princes Arms in Leaden-Hall-Street in London: and for the Book-sellers in Boston, in New-England." 8vo. pp. 36. With it is "An Appendix containing Some Remarks on a Book written by the Bishop of Derry. Sold by Several of the Book-Sellers in Boston, MDCCXIII." pp. 10. It is hard to explain the arrangement of this book, but we suspect that the first part was printed in 1702 in London, and the sheets sent here, and in 1713 an Appendix was printed and the book then published. In it we find the following facts :

P. 1. Mather calls himself the Author of a Discourse written many years ago against the Common Prayer Worship. He says he has had by him above seven years a Pretended Answer to that Discourse printed at London, 1693, but some people in England desiring that he would send them some Remarks upon it, he has at last complied.

P. 22. Dated at Boston, March 4, 1701-2. The Appendix, 1713, is dated December 2, 1712, and begins with form A. It speaks well of the book written by Dr. King, Bishop of London-Derry, but says "the last edition printed in Boston is much disgraced with a very foolish preface set before it by a Young Man."



TO THE READER.



HAT many good and very learned men have doubted the lawfulness of Kissing or Touching the Book in taking a solemn Oath,⁴⁰ cannot be deny'd; those great and famous Divines, Rivet, Pareus, Voëtius, have all written against it; and that worthy Confessor and Martyr Mr. William Thorp, did refuse to comply with the mentioned mode of Swearing; and he saith, that Chrysofom was against the Book-Oath, as he styles it; he thus argues, "If I touch the Book, the meaning of that Ceremony is nothing else but that I swear by it, when as it is not lawful to Swear by any Creature," vid. Fox's Martyrol. Vol. I. p. 705, &c. In Scotland and other Reformed Churches abroad, that Ceremony is not used; and in our own Courts of Admiralty, another Form of Swearing is frequently

⁴⁰ It will be noticed by the reader of the preceding pages that one accusation against Andros's government was the form adopted in administering oaths. The new rule adopted was for the person taking the oath to kiss the Bible, instead of raising the hand. That this was not viewed as a trivial matter is evident, since by the scruple many persons were prevented from serving on juries. (PALFREY, iii. 523.)

It has seemed judicious to reprint the following Essay, written by the Rev. SAMUEL WILLARD, of Boston, as it had been selected by Increase Mather as a

suitable document to assist his plans in London, as appears by the preface which we ascribe to him.

The present generation will hardly be much interested in the theological reasons, but we can fully appreciate the fact that such a rule enforced by the Government without reason was a most unwarrantable insult to the Colonists, and was warmly resented by them. It may be classed with other acts of Andros's associates, which were not criminal, but were less easily forgiven than actual injuries.—ED.

frequently practis'd. That some here in England forty years ago were scrupulous about this matter, we may be assured, in that the Parliament in the Year 1649, in the Oath which they enjoyncd on Mayors and other Magistrates, inserted a Proviso as to the Mode in Swearing, that so doubting Consciences might not be ensnared, vid. Scobel's Collections, chap. 51. It is well known that those famous Divines, Dr. Thomas Goodwin, Mr. Philip Nye, and Mr. Jeremiah Burroughs, did judge the impleaded Rite to be unwarrantable by the Word of God; and why should it be impos'd, when thereby the King may be deprived of the service of many good Subjects who have perhaps weak but tender Consciences? But as for Papists, they say, that to swear on a Protestant Bible is no more than swearing on Æsop's Fables. It seems also to be of weighty consideration that Kissing in a religious way is a gesture of Adoration: Hence the Israelites kissed the Calves of Dan and Bethel, Hos. 13. 2. The Gentiles (and after them the Papists) were wont to kiss their Images, as a signification that they did Worship them. But though we ought to reverence the blessed Bible above all other Books, yet we may not Worship it, but the Author of it only. Athanasius of old would not use any other Rite in Swearing besides that of lifting up the Hand to Heaven.

The Reader (I hope) will find satisfaction in that brief and nervous Discourse which is emitted herewith, and was written by a judicious and worthy Hand. It is likewise to be hoped that this Disputation may excite others to enquire into, and further clear the controverted Question, which is the thing designed in this publication.

M. I.



A
B r i e f E S S A Y

To the Resolution of that
Q U E S T I O N,
V I Z.

*Whether the English Custom of Laying the Hand upon
the BIBLE in Swearing be Lawful?*



HT had been altogether needless to have engaged in this Controversie at this time, had not the strefs which is laid upon this Ceremony, and the apparent evils arising from such an Imposition enforced it; might those who make Conscientious Scruples about it have been permitted to use their Christian Liberty (such as I am fully persuaded is granted them in his Majesties Gracious Declaration, and was for some while in Practice among us) I am of the mind that there would not have been so much enquiry made about it, as Men by this occasion think themselves concerned to make: but the apprehensions which have been caused by what Entertainment the refusing of this Rite hath met withal, have

have made it requisite that Mens Consciences be rightly informed in this Article.

I am not ignorant that a Man may be superstitious in needless scrupulosities, as well as in using of unlawful Ceremonies; but then it will be requisite to make a close enquiry into the matter, Whether the suspecting of the lawfulness of so Swearing be such superstition? and when some men do make so much of it, it will put thinking Persons upon a more accurate Consideration about the thing. If there be indeed nothing in it, it is pity that wise and honest Men should trouble others, or expose themselves their Reputation and Estate, by refusing it. And if it be a thing forbidden by God, I am sure tender Consciences will be deeply concerned to have their inward Peace, whatsoever it may cost them: For the satisfaction therefore of such, and at the earnest desire of sundry of them, I have essayed to search after the mind of God in this Case; in the solution whereof, I only design the reducing of it to the known and approved Maxims of Non-conformists, it being in compliance with the request of some such Men that I am thus engaged; lest therefore will be said to it than would otherwise be requisite: For there are divers *Postulata* or Preliminary Conclusions, which belong to the solution, which will be taken for granted by all that are any whit grounded in the Principles of Non-conformity, and require only to be named, since all their Writings on this subject furnish us with convincing evidence of the truth of them; and they are such as these,

1. That all Religious Worship not Commanded by God is forbidden.

2. That all Symbolical Ceremonies enjoyed Men in Religious Worship are made Parts of Worship, and consequently if not Commanded, forbidden.

3. That

3. That all such things imposed upon Men, are an infringement of their Liberty of Conscience, and an exposing them to sin.

4. That things indifferent are to be avoided, in Case of Scandal arising by the use of them, and it is a sin not to avoid them.

5. That no Practice of holy and good Men is sufficient to warrant my Practising after them, or ought to satisfy my Conscience.

These things supposed (and it were easie to prove them, were it not already done) I proceed to the matter under Consideration, and to waive a tedious Discourse, and omit many things that might here be said, I shall endeavour to reduce it to a point in which the matter will be obvious.

Let it then be considered

1. That in or about Swearing before Civil Authority, there are two things which must be distinctly considered. 1. The Matter about which it is conversant; and that is a Testimony, whether Affertory or Promissory: There is something which a Man swears to, and this out of doubt belongs to the second Table of the Moral Law, and the Ninth Commandment, and is no part of Worship, but a thing merely Civil. 2. The Confirmation of this Testimony by the Oath, and this none that I know of ever questioned but that it belongs to Worship, and is generally referred to the first Table, and the Third Command; (though considered as a part of Natural Worship, it is also to be referred to the first Command) it being an Invocation of God, a solemn Appeal to him, and (at least) an implicit Imprecation against our selves, if we speak falsely; and

and therefore calls for holy fear and reverence of him whose Name is thus called upon.

2. That to an Oath so given there is a double respect to be had. 1. To the use of it, which is Civil; it being appointed for the putting of an end to Controversies between Men, for the confirmation of Truth, and obligation of Men most firmly unto fidelity in all the trust that is reposed in them so far as humane Prudence can reach. 2. To the Form of it, and that is purely Religious, because in Swearing I do after the most solemn manner address myself to God, who is the searcher of Hearts, and knows if I lye or diffemble; and call upon him to witness upon my Soul: Yea, so essential a piece of Religion is Swearing, that it is in Scripture Metonymically put for all Religion, *Psal.* 63. 11. *Isa.* 19. 18. It is indeed a solemn Prayer, and so an act of Worship.

3. That Ceremonies which are or may be used in Swearing come under a twofold consideration. 1. Such as may be merely Civil, *viz.* Such as are the notices by which it may be known who is the Person swearing; and may be expressive of his consent to, and being engaged in the Oath which is administered; concerning which Ceremonies I make no doubt but that whatsoever Civil Authority shall enjoyn to be an Indication of the Person, and a witness of his voluntary accepting the Oath, and acknowledging himself under the Obligation of it, may be lawfully submitted to, and needs not to be disputed by him who is called to swear, always provided there be no Profaneness in the Case. 2. Such as are Religious, *viz.* that are used to strengthen or confirm the Oath, to add more solemnity to it, to oblige the Person that takes it unto greater care and caution, or to strengthen the credit of Testimony the more: Concerning all which it must be asserted, that they are undoubted appendages to Religious
Worship,

Worship, and must therefore be tryed by the Propositions laid down, the respect being not Civil but purely Religious; for whatsoever is used as a religious mean, to make me more serious in a Religious action, must needs be so, and hence it must be either Natural or Instituted.

4. That an Oath being a solemn Prayer and Appeal, it hence ought to be made to God alone: That Men are to swear by God only is a Truth so fully clear in Scripture that no Man that is a Christian can call it in question; if therefore in Swearing I appeal to any but God, I am guilty of false Worship. *Deut.* 6. 13. *Jer.* 5. 7. and great reason, for there is none else can detect us, and punish us if we be found forsworn.

5. That whatsoever is sworn by, is not a meer Medium, but an Object of Worship: If I appeal to the God who is the Author of this Bible, I then make it a Ceremony, and am only questionable about the lawfulness of using such a stated Medium; but if I appeal to God and the Bible, then I make it a divine Object of my Adoration: Hence Swearing by any thing is understood in Scripture for making the thing we swear by our Object, *Jer.* 5. 7. *Matth.* 5. 34. &c. and then the Question is, Whether this be the true God, or an Idol?

Upon these Premises there will now need nothing more to be inquired after, but only, Whether the laying the Hand upon the Book in Swearing may be accounted a Civil sign meerly, and as such may be used by Men? or, Whether it be not certainly a part of religious Worship, according to Law, Usage and Custom? And if it appears to be the latter, no Nonconformist can ever consent to it, 'till first he depart from his own principles.

To prove therefore that it is and must be so, is sufficient
to

to my present purpose, for the confirmation whereof, I offer these Arguments.

1. It is so by the true, proper, and unquestionable intent of the Law by which it is required: And hence it must needs be so interpretatively of every one that useth it in compliance with that Law. It is a Truth beyond suspicion, that a Man's actions are not interpretable, according to his own private sense and pretended meaning, but according to the common usage in which such actions are taken, and for Men to pretend to another meaning, is practical Equivocation. The Primitive Christians knew, that to cast Frankincense into the Fire upon an Idol's Altar, would be Interpretative sacrificing to that Idol, let their reserved meaning be what it would, and therefore they refused to do it. He therefore that complies with any thing required in the Law, is truly reputed by all Men to comply with the Law in the true and plain meaning of it. Now that this is the indisputable sense of the Law, is evident; for what else is Swearing by the Book, but such? If we consult the Statute-Law, possibly there is no clearer mention of this appeal there, than what is in the Oath of Supremacy, which in so many words joyns the Invocation of God, and swearing by the Contents of the Book. If we look to the Common Law, let all old Presidents speak, which tell us that it is done *Per sacra Dei Evangelia*, by the Holy Gospels; and this cannot intend only a signification of the Persons swearing, and their consent by, expressly declares an appeal to the Book, which was never appointed by God to be a Ceremony, much less an Object of my Appeal. And if we look to the Canon Law, whence it borrows its Original, none need to be ignorant that it was intended to put a religious respect on the Book, by the Authors of it, whose very Principles plead the justification of a Religious Worship due to some Creatures.

2. It

2. It is so by the Confession of those that have used it, and plead for it: What else is intended, when in their Self-Justification, they tell us it is done to put the more Solemnity upon the Oath; and that their meaning is, that they do hereby significantly renounce all the benefits promised to Christians in this Book, and invoke the Curfes of it upon themselves, if they lye? and this must of necessity be more than the bare Indigitation of the Person, and nothing less than a Religious Application; which hath not the Authority of God for it, being neither a Natural, nor Instituted Medium.

3. It is so by the very thing that is chosen and appointed to be made use of, *viz.* the Holy Bible, or Gospels: For, were it only to signify the Person and his Consent, why might not any other thing do as well? Yea, why might not lifting up the Hand be better approved, which is in Civil Law used as a Civil Sign, by which a man is called to signify that he is the Person arraigned, and consents to his being tried by the Authority of the Court where he stands to be Judged; and is also a natural Sign accompanying of Prayer, or an outward signification of Mens appealing to God in Prayer? This Book must needs have bin made choice of with a Religious respect.

4. It can be no Salvo to mens Consciences, for this or that particular Judge, or any Men in subordinate Authority, to say, That they intend nothing else by it, when they impose it, but only the Notification of the Person, and signifying that he now doth take the Oath: for the Sence of the Law is always one and the same: And though it must be granted necessary that Judges are, in case of difficulty and dubiouness, to interpret the meaning of the Law, to Men concerned to Act according to it; yet if they should give a sence evidently other than the Law will bear, it can hardly be thought obliging;

obliging; to be sure, where the fence of the Law is clear and plain, their interpreting it otherwise cannot satisfie one that knows it is not the meaning: For if so, what force can there be in a Law, or what safety can the Subject pretend to himself in measuring his Actions by it, because that which is the fence of it to day, may be repugnant to it to morrow.

5. It doth no whit mend the matter, that of late, those words [*and the contents of this Book*] are omitted in the giving or administering of the Oath, it being only a Snare laid before Men, and no real favour to them, as not in Truth affording any abatement upon the Consciences of such as are judicious; and that is, because the same thing is intended in the Law, and is every whit as much signified by the Act of Laying on the Hand, it being the fence of the Law, in Obedience whereunto it is done: And Actions do speak as forcibly as Words. Except therefore the Law itself could cease or lose its fence, the omission of a word explicatory mitigates it not; because all that know the meaning of the Law, know what the Action signifies according to it.

6. Hence, in the Consciences of all sober, serious, and considering Men, he that lays his Hand upon the Book, whatever his reserved meaning to himself be, is necessarily under such an Interpretation as this: and it thereby becomes a matter of scandal to such as count it unlawful so to swear; and though he swears with never so many secret reserves to himself, he cannot possibly avoid this Censure.

7. It is also to be observed, That whereas the Nature of Swearing is principally contained in the Solemnity of the Appeal which men make, there is no other solemn Caution and Religious obligation, in the customary way of administering an Oath, but only in the act of Laying the Hand on the

the Book, and that one word, *So help you God*; which calls for a serious Observation, and speaks the design of the Ceremony.

8. Besides, it makes the Conclusion I have asserted, further evident, if we consider that some men say, that no Man can be legally indicted for Perjury, except he have Sworn upon the Book; which if legally true, tells us, that the Law makes it Essential to the Oath itself, and a part of the Religious Act of Swearing.

9. He that invokes such a thing as his Helper in his Prayer, doth certainly make it of the Object which he prays unto: And he who lays his Hand on the Book (whether he do it intentionally or no) doth it interpretatively: And whether this be not to make it more than a meer Ceremony, and greaten the blame of him who doth so swear, let any judicious Man determine.

Much more might be said concerning this Subject; but this may help sufficiently to settle the Judgments, and satisfy the Consciences of any that are Scrupulous; which is my farthest aim in this Script; as being not desirous to offer any Provocation to one or other; but only studious to discharge a Moral Duty lying upon me, to satisfy (so far as I may) the Consciences of them that ask it of me, in such matters as properly and immediately concern God and Religion.

FINIS.

Further Quæries

UPON THE

PRESENT STATE

OF THE

NEW-ENGLISH AFFAIRS.



PREFATORY NOTE.

THE following tract is copied from a reprint published by Joseph Sabin, of New York, in 1865. This edition was from a copy of the original, formerly in the possession of the late Rev. Dr. Hawks, but which lacked a title-page if any were attached to the first issue.

The tract is signed S. E., and the author styles himself "not a Native of New England." There seems to be in the introduction, in a reference to another tract—"a Former Paper of Quæries written and published by one that had not been half seven years in this Country"—an allusion to some publication to which this was a reply. The "Vindication of New England," in reply to John Palmer's book, has at the close an advertisement that it was from "the pen of one who although he never spent seven years of his life in any part of America" &c., was a friend of the Agents of New England.

Possibly both of these pamphlets were the production of some lawyer employed by Mather, and we may imagine that Palmer's first edition of his Impartial Account had on its title some reference to a seven years' residence here, or else that the point of the above citation is now forgotten.

The date of the issue of "Further Quæries" was probably A. D. 1690, it being after August, 1689, and mentioning "the approaching summer."



FURTHER QUÆRIES

Upon the Present STATE of the
New-Englilh AFFAIRS.

Reader,



Though there be a truth in the Proverb, That a Fool may ask more than a Philosopher can answer; yet I that am one of the first sort, am going to ask nothing but what a Person of as mean parts as my self may answer. 'Tis a time when every man should be active in pursuing the Peace of his Country; and I have some hopes, that if my Country men give themselves the trouble of Answering these Quæries, the Effect will be but peaccable.

A Former Paper of Quæries, written and published by one that had not been half seven years in this Country, did the Country no harm. Which encourages the Writer and Publisher of these further Quæries (who also is not a Native of New-England, tho a great Observer of, and Welwisher to it) to adventure a second part of the same Times: with no design but that of Service to the Country; my Good Friends, the New-Englanders, may see, that some obscure and retired persons unknown to them, do take notice of their Circumstances than they are well aware.

Of

Of the GOVERNMENT.

Whether it be not a great Injury and Prejudice against the most Loyal People in all the *English Dominions*, to represent *New-England* as if it had the least Inclination to deny a most obedient Submission or Subordination to the authority of *England*? and whether even the most Thinking part of the Countrey ever thought of such a thing, till they heard it mentioned by the mouths of their most malicious Adversaries? or have yet thought of it with any Passions but those of Detestation?

Whether we have not all imaginable reason to embrace our antient (however condemned or vacated) CHARTERS, as the best Instrument of our Government, by conformity whereunto, (tho there be *one* of them not yet so good in Law) we shall most exprefs our Allegiance to their *Majesties* and our Dependance on the Authority of *England*? Inasmuch as,

First, Even the late *K James* in his Proclamation, Dated *October 17th 1688* did restore some (if not all) of our *Charters*, as far as a Proclamation could go towards it [Quære] whether they who thought an illegal Commission of *K. James* could restore them?

Secondly, His Highness, the (*then*) Prince of *Orange*, Engaging in that glorious Expedition, upon the first notice whereof, *New-England* manifested an earlier zeal for Him and It, than any of all the *American Plantations*, had these Words in His Declaration; *All Magistrates who have been unjustly turned out, shall forthwith Resume their former Employments, as well as all the Burroughs of England shall return to their antient Prescriptions and Charters.*

Now when we were Condemned, they found us in *England*, it was the *Massachusetts Colony* in *Westminster*.

Thirdly,

Thirdly, In our Address to Their *Majesties*, Dated *June 6th* 1689, our words are these, *Finding an absolute necessity of Civil Government, the People generally manifested their desire and importunity once and again, that the Governour, Deputy Governour and Assitants, Chosen and Sworn in May 1688. according to Charter and Court, as then formed, would Assume the Government: The said Governour, Deputy Governour and Assitants then resident in the Colony, did consent to accept the present Care and Government of this People, according to the Rules of the Charter.*

Fourthly, In answer to that Address, His Majesty, in a most gracious Letter, bearing Date, Aug 12th. 1689. does Authorize and Impower our present Rulers to continue in His Name the Care in the *Administration of the Government.*

Which Letter is Superscribed [*To such as For the Time Being, take care for preserving the Peace, and Administring the Laws &c*] An Expression which implies a *Succession.*

Fifthly, The Body of the *English Nation* Asssembled in Parliament have declared the Invasion made upon our Charters, to be illegal and a grievance. And the Bill for the Restauration of *Charters* so far as *New-England* is concerned in it, has thrice passed the Honourable Houses of Commons.

These things are mentioned, not as if they were sufficient Deliverances of the *Massachusetts Charter*, (as for the Charters of the other Colonies, 'tis peevishness to question whether they be not in as good force as ever) from the disadvantages with which a pretended but injurious form of Law has hampered it. But they are produced as Intimations of the best Rule that our Government can at present have, while in a conjunction with all these Encouragements, there is the voice, and vote, and content of the *whole People*, so far as it can be legally understood, agreeing thereunto, So that we go on to enquire:

Whether the foundations being every where overturned,
and

and all things out of course, it be not become utterly impossible at such an extraordinary Time, for the Niceties and Punctilioes of Law, to be exactly observed? And whether those that are Baiting and Bantring at the present Government, for wanting some Circumstances of Law, to strengthen the foundation which they act upon, can suggest any other Foundations, but what would be a thousand times more feeble and rotten, than those which we are now upon?

Whether it can be pleasing unto the Almighty God, or unto Their Majesties or to the Honourable Parliament; That this great Country should live from year to year without any Civil Government? Or whether one of their Colonies, which never had any Charter at all, did not Comfortably jog on for one threescore years in an innocent and laudable Administration of Government without ever being blamed for it?

Whether the best Course that we can at present steer, be not for us to observe the allowed methods of the whole *English* Nation, in this wonderful and Critical time of Confusions, and to learn by the best Hints we can get, what will be most agreeable to the glorious Designs of Their Majesties, King *William* and Queen *Mary*, and the Parliament of *England*; managing of ourselves with a most Loyal and Religious Conformity thereunto? And whether it be not something worse than Ignorance to say that we are not now steering of such a Course?

Whether it can be a fair thing for a Company of Strangers, who have had all manner of Civility and Protection, and are growing rich under the present Government, yet out of their antipathy to the good Order & the good people here, to send home Addreeses for the imposing of such a Form of Government upon us as the biggest part of the Plantation more than seven to one, humbly but warmly Deprecate.

Whether Considering the Antient Enjoyments, and the present

present Constitution and Inclination of this People, and the Circumstances of our Lands, &c. Those Men are not under the power of a meer Phrenzy who desire not the Restoration of our Charters?

Whether those few little men who now pretend that they are bound in Conscience to Declare against this Government, because they imagine some Circumstantial Forms of Law not exactly observed in our Settlement thought themselves under any Obligations of Conscience to appear against the late Government, wherein all English Laws, and English Liberties were perfectly overthrown?

Of the ELECTION.

Whether our Government being now so allowably taken up, according to the *Rules of our Charter*, it has been amiss, for the General Court to Remember, that an Anniversary Election is among the most Fundamental Rules of our Charter?

Whether all the Corporations in *England*, none of which have their Charters Restored, go not on with their Elections as well as we?

Whether this greatest Objection against an Election, be not the inconvenient Choice which Distemper and Faction may be too ready, to precipitate this people unto. And whether all good men, ought not with a serious watchfulness over their own passions, to endeavour the prevention of that inconvenience?

Whether the Arduous Affairs which the Approaching Summer is like to entertain us with, will not be so perplexed, as to require the ablest and wisest men in the Country to go thro with them?

Whether the Gentlemen that are now in the Government being by uncomfortable Experience, thus well acquainted
with

with Government, (for Governing is a skill, as great as any of the Liberal Arts) it would not be a madness to make too *Essential* or *Considerable* Alterations, in our New Election?

Whether in our Choice of Magistrates there should not be special Eye to this that as they be persons of great affection to the True interest of their Country, so they may be for the most part, of good Fashion and Quality, and such as may maintain the due Grandure of a Government?

Of the Present War.

Whether we are now evidently reduced unto that extrem Dilemma that either *New-England* or New-France must unavoidably perish?

Whether all our Encounters with several Bodies or Nations of *Indians* that may quarrel with us, be not meerly a lopping of Branches, whereas by an Attack upon *Port Royal* and *Canada*, we fall upon the Root of all our Miseries?

Whether it be not good Husbandry, in a manner to throw up all Business and apply ourselves one and all to this *French* War, in which if God give us Prosperity, we shall get more from our Enemies by Fighting, than we can get of one another by Trading?

Whether in all parts of the Country it be not incumbent on well affected persons immediately (with the Countenance of Authority) to Lift themselves and humbly offer to our Honourable Rulers and Fathers, their best Service in the Expedition which is now propounded?

Whether if we make a vigorous Assault upon our *French* Neighbours we may not by the blessing of God, hope to be victorious over them?

Whether a thousand things do not now Conspire to invite us unto such an Expectation?

Especially, These Four:

First, That the wheel of Divine Vengeance is now Turning apace, upon the French Papiſts for their late Bloody and Matchleſs Perſecutions: in which Perſecutions, our *French* Neighbours have had a very peculiar ſhare; Why mayn't we hope to be the Executioners of Gods wrath upon them?

Secondly, A great part of the *French* People, which we propound to invade are ſuch as would ſee it their happineſs to come under the *Engliſh Government*?

Thirdly, The *Engliſh* Arms in other parts of the *Weſt Indies* are now very proſperous againſt them; 'Tis probable, their time is come to go down the Wind.

Fourthly, The *Mohawks* now after that at the ſame nick of Time, when we viſit them by Sea, they will be upon them by Land: and they will certainly be ſo diſcouraged, as wholly to deſert us, and unite with our Enemies, if we are not wanting to ourſelves.

Whether our ſubduing the *French* Territories will not be a thing as acceptable to the Crown of *England*, as profitable to the people of *New England*?

Whether it would not be a Generous, and moſt Chriſtian Service, for ſome well diſpoſed *New Englander*, to undertake the Goppellizing of the *Mohawks*, who, though much Tampered withall by the French Papiſts, expreſs an inclination to the Proteſtant Religion?

Whether there would not be a great piece of Policy as well as of Piety in ſuch an Undertaking? And whether all Orders of men among us, would not ſtudy to ſupport and honour the Undertaker with the extremeſt gratitude.

Whether the advantages, which the *French* have againſt us, do not proceed very much from the Conduct of that Gentleman, whoſe unwearied Induſtry and Mediation procured of the *French* King the Return of thoſe *Mohawks* which had been carried into *France*?

Whether

Whether there be not those words to be read in a Memorial presented lately to Their Majesties against that Gentleman by one Mr. P - - - - - R - - y.⁴¹

The Petition (concerning Salt Ponds about New-York) was never returned but the Design put by, because 'twas against the Interest of France. It evidently appears that he had a Correspondency with the Governour of Canada.

Hearing of several Protestant People that deserted Canada, to find it out, he makes his Application to a Merchant at New-York, saying, he heard that several Discontented Persons Deserted Canada: some of them Labouring Men; and that he had occasion for a Gardiner, some presented themselves, but instead of imploying them he sends them to the Western Islands.

The King of France has for divers years sent several Companies of Souldiers to Canada; among which are many Protestants; Several young men of Good Families, who think themselves not men, except they have seen a Campaign. But when they are got into Canada, they are kept there, and cannot Retreat, nor have any Exercise of their Religion, but are Compelled to go to Mass. So that several did endeavour to come to New-York; but Sir Edmund Andros, having thus acted has prevented them. The King of France is so great in those parts, that every year he sends Souldiers, and when they are there, they are encouraged to Marry, having Land and Horses given them, with other Necessaries: they daily increase, at the Backside of New-England, and New-York, extending to the Backside of Virginia. They grow so numerous, that they will in a few years be Masters of all these Countries, if a speedy care be not taken.

They

⁴¹ This undoubtedly designates Peter Reverdy, a French Protestant, who wrote a Memorial against Andros cited on p. 118.

They have now a Fort, sixty miles within the English Empire. The Governour of Canada was Required to Demolish his Fort by Collonel Dungan, then Governour of New-York. And order came from King James to the Governour of New-York and New-England, to Retreat, and lay down their Arms; and the like from the King of France to the Governour of Canada. And that the two Kings would end the Controversy in Europe. Notwithstanding all that, they kept their Ground, and a Fort, and a Cloister of Jesuits. Sir Edmund Androfs, who pretends to be a Protestant, found fault with Governour Dungan, who is a Roman Catholick, for making War with Canada, notwithstanding the Reasons above written: alledging that the two Kings were in great Alliance and Friendship.

Whether the Consideration of such things as these may not more than a little endear the present Government of *New-England* unto all that would be loath to see the Country given away to its greatest Enemies?

Whether in Conjunction with the Indian Testimonies, which were so much despised this time twelvemonth, persons a few months ago escaped from a *French* Captivity have not given upon Oath such farther Testimonies as these

J n. L. d.⁴² of Salem testifies, That being on Board the (*French*) Admiral, viz. The *Lumbuscado*, and in said ship carried a Prisoner to *Port Royal*, he did then hear several of the Company on Board said Ship, say, That they came directly from *France*, and that there was Ten or Twelve Sail of them, Ships of War, that came in Company together, but some of them were taken upon the Coast of *France*, and some were lost since; and that they were all bound directly for *New-England*: and that Sir Edmund *Androfs*, late Governour of *New-England* had sent to the *French* King for them

⁴² John Langford : see p. 119.

them to come over, and the Country should be delivered up into his hands, and that they expected that before they should Arrive, it would have been delivered into the hands of the *French*.

B n. m. y.⁴³ of *Salem* Testifies, That he heard the same related by several on Board the other *French* Ship of War that was in Company, with the *Lumbuscado* namely, the *Penguin*,⁴⁴ And also, that they had lost most of their Ships coming over. Sworn Nov. 23, 1689.

P p. H p.⁴⁵ of *Salem* Testifies that being carried on Board the *Lumbuscado*, he heard several of the Company say, as above. Sworn Nov. 22 1689.

J n. C. t.⁴⁶ Testifies, That being carried to *Port Royal*, one Prisoner a *Mr. M. O.*⁴⁷ told him, that the *French*, on board the *Lumbuscado*, told him as above. And that the (*French*) having lost several of their Ships in their Voyage, and hearing that Sir *Edmund Androfs* was taken and now in hold, they should not proceed at present, but threatened what they would do the next Summer. Sworn Nov. 23. 1689.

The same is testified by M l. C. n. J s A n.⁴⁸ Of *Salem* testifies, That the Lieutenant of the *Lumbuscado* told him as above.

J C s.⁴⁹ Testifies That on Board the *Lumbuscado*; one *Peter Gott*⁵⁰ told him, there were thirteen Ships of them came out

⁴³ Benjamin Majery : see p. 119.

⁴⁴ The name of this vessel was given at p. 120 as the *Frugum*, an evident error hereby corrected.

⁴⁵ A misprint for P. p. H. d. Philip Hilliard is meant : see p. 121.

⁴⁶ Joshua Conant, p. 121.

⁴⁷ Mr. Mero in former citation, p. 121.

⁴⁸ On p. 151 we have the names given as Michael Chapleman, James Cooke and Thomas Atchison.

⁴⁹ James Cocks : see p. 122.

⁵⁰ On p. 122, this name is called Goit ; probably Gott is correct.

out of *France* in Company together, and that they were bound directly for *Boston* in *New England*, expecting that the Country, was before, or would be delivered up to the King of France; and told him, before they could get clear of the Coast of *France*, several of their Ships were taken by the *English Ships* of War, and the rest of their Fleet taken or dispersed and lost, about *Newfoundland*.

Sworn *Nov.* 23. 1689.

Whether the Consideration of these things, be not enough to awaken and animate the utmost Efforts that we can make towards the preservation of our Country?

Of our Union and Subjection.

Whether all forts of men among us, were not by the late Government annoyed with Oppressions, which were then thought intollerable?

Particularly,

Whether Husbandmen do need to be put in mind of the blessed Priviledge to which they were advancing, of taking Patents for their Lands, at a rate which would have reduced them to a meaner Estate than the Famine once brought the Egyptians unto? And whether Marriners do need to be put in mind of a thing called an *A&T* made by a juncto of Blades at *New York*, by vertue of which the Masters of all the Vessels in *New England*, were put unto Thousands of Pounds annual Charges, for *their* Bonds, to lay *us* all under Bondage, and make a Prison of the Territory?

And whether *Merchants* and all other *Dealers* forget what a discouragement all manner of bufiness lately had upon it?

Whether

Whether we did not in our Distresses promise to the Almighty God, that if he would rescue us, we would prize our old enjoyments more than ever we did?

Whether any part of Gods Earth hath a more easie, a more faithful, a more paternal, and well intending Government than what *New-England* is now happy in?

Whether the Government have had any requital for the incredible toyl and time which they have spent for us in the last year, but only unreasonable Railings and Complaints? And whether such requitals will not at last make all sensible men to say, *I will not be an healer to this People?* so that we must perish, because no man of sense will serve a people so disingenuous.

Whether it be possible for this Country to be defended from Ruine, without various (and at this juncture heavy) Taxes upon us all?

Whether it be not better to give a shilling to a publick Account with our own consent in a general Assembly, than to have a penny forced from us without it, as in the late Arbitrary Government?

Whether some little inequality's in the Rating of men, be not a thing so unavoidable, that the discontents which are sometimes thereat, shew much folly and baseness in us?

Whether they that refuse to pay the Debts and Rates of the Country, especially at such a time as this, when if every one should so do, we should all be undone, are not worthy to be hissed out of our common conversation, as the *Wens* or the *Scabs*, rather than the *Members* of this body politick?

Whether the great Sect of *Grumbletonians*⁵¹ in the Country

⁵¹ We may here refer to a contemporaneous tract with the following title: "The Present State of New England Considered in a Discourse on the Necessities and Advantages of a Public Spirit in every Man; Especially, at such a

time as this. Made at the Lecture in Boston 20. d. 1. m. 1690. Upon the News of an Invasion by bloody Indians and Frenchmen begun upon Us. By Cotton Mather.—'Non displicuisse meretur, Festinat Patriæ qui placuisse suæ.'

Boston,

trey whom nothing will fatisfie, been't the worft Enemies which this Country can have ?

Whether we had not better come to part cheerfully with all we have even to our very Rings, and Buckles, and Bodkins, to defray Publick Charges, than fuffer our *French* Enemies to come and rifle us of what is nearer to us than our very *Shirts*, our *Skins*.

Whether thefe Towns in the Country which Rant and Tear at a great rate, becaufe of a fmall Rate, not much exceeding a fcore of Pounds, laid by abfolute neceffity upon them, would not afford a Booty of many hundreds of pounds, when our common Enemy breaks in upon us ?

Whether Covetoufnefs has not ruined *New England*, in an hundred leffer Instances already ? and whether the Country will not fhortly deferve that goodly Epitaph, *A People which died to fave Charges* ?

Whether the Summer which is now advancing be not like to be the blackeft Summer that ever *New England* faw, if by the firmeft unity, we prevent it not ?

Whether

Boston, Printed by Samuel Green, 1690." 12mo, pp. 52. In this fermon, delivered March 20th, 1689-90, Mather fays, (p. 28,) " You are perhaps the moft Querimonious and Outrageous of all People in your Difcontents." Again, p. 52, he fays : " The laft Evening fil'd us with new Alarms of an Attack from *New France* upon this poor land ; which was before involved in Calamities that aftonish'd us. . . . But, as the moft of thofe places which the Devaftations of the laft year fell upon were the more Pagan Skirts of *New-England*, where no *Minifter* of God was countenanced ; and that very place which is juft now Affaulted and Confumed, has had upon it the Infamy of a moft Heathenifh Difrefpect unto a Miniftry ; fo, on the other fide, I cannot fpeak in any Affembly where a *Preacher* of the Gofpel may

hope for a more Candid and Courteous Acceptance, than in the Numerous Auditory now before me." P. 33. " We have at this Time a great Service to be done for their Majesties K. William and Q. Mary, whome God grant long to Reign ; and this not *only* by Securing their Intereft in *this* large Territory, and Confequently in all America, but *alfo* by making a brisk Salley forth upon the French Territories, which muft elfe be a Perpetual obftacle to the Thriving of thefe Plantations. The Service of their Majesties in the *former* of thefe was the caufe of the Revolution here almoft a year agoe ; we are now invited unto their Service in the *latter* of them, notwithstanding that the Diffenfions that have been fown among us by the *Reliques* of our late Oppreffors have fo much enfeebled us."

Whether for One County in the Colony to go to over-reach any other of the Counties, as to their Proportions in the *Publick Charges*, be not a thing as provoking to God, as it is offensive and odious in the resentment of all sober men?

Whether for one Colony in the Country to go to shake off the other (since united) Colonies, in the assistance, which the common dangers have called for, would not be to invite all kinds of miseries on the whole?

Whether we are not all very loudly admonished, by the late Disasters at *Schenectady*, where the People were so shamefully divided, and contentious about matters of Government, that they whole omitted all that belonged unto the common Safety, and became a Prey to Barbarous *Frenchmen*?

Whether an old opinion among us, that the generality of the Merchants in *Boston*, pursue designs which tis the interest of the Gentlemen abroad in the Country, to be in all things thwarting of, be not a foolish, and groundless imagination? And whether the generality of good men in the Country, are not really of one mind, in the most of that which concerns the good of the whole? And whether they would not be visibly so, if without mutual jealousies they would consult one another?

Whether it would not be convenient for *Salem*, the oldest Town in the Colony, to go before us all in an Example of unanimous endeavours for the publick welfare?

Whether when Chickens are picking at one another, the *Kite* will not see it then a time to carry them both away.

Humbly Propounded to the Publick.

By *S. C.*



SYNOPTICAL INDEX.

[NOTE.—The peculiar nature of these pamphlets, being a reiteration of charges against a few persons individually and collectively, has rendered it difficult to prepare an Index. It seems better to give a synopsis of the topics treated, and by the references to specify where the charges are repeated or refuted. Ed.]

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